



*Volume 3 - Issue 1*  
*15 | November | 2013*  
*Introduction: FFVA 2013*

# EMERGING TIMES

*... growing toward the future*

## **Emerging leaders begin yearlong program at FFVA 2013**



Class 3 (left to right): Jeff Goodale, Geoff Roe, Jamie Lang, Clayton Norman, Ryan Atwood, Cathy Atchley, Matt Stacey, Elton Baldy, Daniel Cavazos, Jordan Theis and Sam Glucksman.



The third class of the Emerging Leader Development Program was introduced to FFVA's membership at FFVA 2013. This was the first stop in their yearlong program that will include sessions in Tallahassee with legislators, issues seminars at FFVA's main office and visits to agricultural

operations in both Florida and California.

The program is designed to provide participants with the education and tools to become effective advocates for specialty crop agriculture.



## Lempert shares insight



by Cathy Atchley  
On Point Ag

The 70th Annual FFVA Convention opening luncheon launched with enthusiasm and optimism, setting the tone for an informative convention. FFVA President Mike Stuart welcomed a record turnout at The Ritz-Carlton in Amelia Island and introduced the Supermarket Guru Phil Lempert as our guest speaker. Lempert illuminated consumer trends, discussed the need for transparency and shared wisdom for us to use moving forward in the dynamic consumer produce market.

Lempert drove the point home that we must know what the consumer is thinking. "Know who your customers are and know what they want. Get into the supermarket," he said. Maybe our produce sales professionals could work with supermarket managers to meet the customers on the floor and learn more about their preferences, showing an interest in them.

Some customers and trends to consider are baby boomers who are mainly concerned about health and wellness. Millennials are also a group to watch; they love food. They tend to love recipes, sharing food art via social media, buying local and using their smart phones.

Lempert discussed the importance of communication and asked if we were truly being transparent. He urged us to think about how we can build a bridge between consumers and their food and how we can connect consumers to our industry. He pointed out that food is local if the consumer knows where it's coming from. Even if the food is branded "Fresh from Florida" but sold in Ohio, it puts a face behind the product and localizes it.

Charting a path for the future, Lempert encouraged us to uncover the next big trend by stressing the importance of staying ahead of the curve, and to keep an eye



Supermarket Guru Phil Lempert was the keynote speaker for this year's State of the Industry Update.

out for non-food-related innovation that we can draw inspiration from.

He also reminded us to focus on relationships -- not only those with buyers, but customers too. He stressed the importance of serving as an industry advocate. In today's media-driven world if we do not articulate the correct message, what messages are being conveyed about our industry? By the way -- have you seen the Chipotle "Scarecrow" commercial online? We MUST discuss how great our industry and its products are! As a strong, forward-thinking group, FFVA members have done well. This convention celebrated our successes and although it almost sounds like a broken record, for the sake of the next 70 years we still need to communicate, advocate and celebrate our great industry.

## Straight from D.C.



by Ryan Atwood  
Keyplex

Monte Lake traveled from Washington D.C. to give an update on a potential immigration bill. It is estimated that 70 percent of agricultural workers are undocumented, and labor shortages are prevalent. Those shortages, along with immigration and custom enforcement audits, an inevitable mandatory E-verify program, and a less than ideal H-2A program make reform extremely important.

The Senate bill calls for a visa program that





would allow a contract arrangement and at-will employment for workers. Undocumented workers who have paid a tax, have no criminal record and continue to work for five years in agriculture would qualify for legalization under a blue card program. (This includes packinghouse employees.) The new visa program would allow for legal labor to come for three years followed by returning to their home countries for three months before they can re-apply for another visa. The current H2-A program would sunset after one year. In 2016 wage rates would be a set rate on a nationwide basis with a 1.5 percent increase per year to account for inflation.

The House bill calls for undocumented workers to work for two years then go home for an unknown period of time, which Lake views as worrisome. The House bill would be an at-will program with worker portability. There would be a cap of 500,000 on the number of allowed workers, which is a negative. Wages under this bill would be prevailing wages, which would likely result in inflated wages. Overall, Lake felt the Senate bill was the preferable bill. He stated that with ICE audits at record high levels, it is very important that we all keep the pressure on Congress to get a bill passed.

## Prevention is key



by Jamie Lang  
Farm Credit of Central Florida

Day two's food safety forum was opened with the introduction of the panelists, Dr. Samir Assar, FDA Center for Food Safety and Applied Nutrition; Leanne Skelton, USDA Agriculture Marketing Service, Fresh Products Branch; and Dr. Michael Mahovic, Consumer Safety Officer on the Produce Safety Staff.

During the Issues Forum "A Focus on Food Safety," the class learned of the many implications the proposed rules for the implementation of the Food Safety Modernization Act. The two proposed rules cover current good manufacturing practice and hazard analysis and risk-based preventive controls for human food, and standards for the growing, harvesting, packing, and holding of produce for human consumption. The food safety system envisioned by Congress was discussed in detail

through an open forum on the various concerns of the proposed rules within the act.

FSMA, the most sweeping reform of our food safety laws in more than 70 years, was signed into law by President Obama in 2011. It aims to ensure the U.S. food supply is safe by shifting the focus from responding to contamination to preventing it. The outbreaks over the past few decades have affected consumer confidence and increased the industry's desire for mandatory risk-based food safety regulations. The two proposed rules open for public comment have four themes that include a national standard, prevention, review of the five common pathways, and foreign suppliers.

In August, the FDA issued Federal Register notices to extend the comment periods on the proposed rules until Nov. 15. This is the second and final extension of the comment period for these two rules. The extension of the comment period also applies to the information collection provisions associated with the proposed rules. The FDA is taking this action to allow interested persons the opportunity to consider the interrelationships between these two proposed rules.

The panelists encouraged submission of comments from Florida farmers to ensure the FDA understands the implications of the proposed rules such as preventive control rules and the agricultural water standards.



Keynote speaker Lt. Col. Robert J. Darling, USMC (retired) brought the crowd to its feet at this year's Cracker Breakfast.



## Darling recounts 9/11



by Jeff Goodale  
Duda Farm Fresh Foods, Inc.

The keynote speaker at this year's Cracker Breakfast was retired Marine Lt. Col. Robert J. Darling. Darling gave the audience an inside look at what occurred inside the White House bunker on Sept. 11, 2001.

Darling was in the White House when an immediate evacuation order was given. Darling was relocated to the president's bunker beneath the White House, and that is where his tale began to blend what we remember seeing on the news with the details of the decisions being made by those underneath 1600 Pennsylvania Ave.

After he arrived at the bunker, Darling was asked to help answer calls that were coming in one after the other. The very first call indicated the reality of the situation. The caller stated, "We have a hijacked plane 16 miles south of Pittsburgh, inbound to Washington, D.C." Darling hoped to take a moment to process what he was hearing. He told the caller to hold on, and as he looked to his left to speak to the military aide he saw Vice President Dick Cheney and National Security Advisor Condoleezza Rice standing there wanting to know what he was hearing.

Darling recounted the numerous calls he received that day and the decisions that Cheney and Rice made in response. Despite the gravity of the topic, Darling was able to weave a little humor into his story. One such story was how he forgot to follow procedure in one situation that resulted in President Bush and the first lady being awakened in the middle of the night to be rushed to safety even though no threat actually existed. Darling assured the audience that you do not want to be the reason that the president is standing in the White House kitchen in the middle of the night with a dog under each arm wearing only pajamas.

## From idea to legislation



by Sam Glucksman  
Glades Crop Care, Inc.

Class 3 met with several speakers at the 70th annual FFVA convention. Among these was Butch Calhoun, FFVA's director of government relations. Butch explained the legislative process of how an idea, concern or issue becomes a law in the Florida Legislature. The Legislature is composed of two chambers: the House of Representatives and the Senate. A Senate president and speaker of the house are elected by their respective chambers.

Suggested legislation is prompted by a citizen, group or legislator, which is then introduced as a bill. The Senate president and the speaker assign the bill to their selected committees for debate. Each committee can

report the bill as favorable, favorable with amendments, or unfavorable. After the bill has passed all of its assigned committees, it is heard by the whole body of each chamber. Each chamber can amend a bill but then it must be reconsidered and approved by the other chamber. When the bill is agreed upon by both chambers it becomes an act and goes to the governor for consideration.

The governor can sign the act into law, allow it to become law without his signature or veto it. If it's signed, the act is sent to the secretary of state for recording. If it is not signed by the governor within 15 days it becomes law without his signature. A veto can be overturned by a two-thirds vote in each chamber.

Last year 1,898 bills were filed with only 283 passing. The governor vetoed 11 of those. A piece of legislation can be killed at any time if it is found unfavorable by a committee or either chamber. This legislative process makes it difficult to pass legislation, so that every issue is meticulously measured and debated before it can become law. As Calhoun explained, "It is easier to kill a bill than it is to pass it."



Class 3 members spent time getting to know one another at the receptions and dinner functions at FFVA 2013. (left to right: Elton Baldy, Tabithia Baldy, Alison Atwood and Ryan Atwood.)





Sheldon Blumling spoke about health care reform and how it will affect the ag industry.



The 15th annual Benefit Auction raised \$17,340 for the Florida Specialty Crop Foundation.

## Immigration is hot topic at FFVA 2013



by Elton Baldy  
Bayer CropScience

Growers, industry representatives and stakeholders attended an Issues Forum titled "The Labor Landscape." During this session the primary focus was the latest on immigration.

Judging from the attendance in the room, immigration and labor issues are at the forefront of the fruit and vegetable industries. The issue has many complexities with challenges of partisan support. FFVA has been and continues to be a leading advocate for a consistent and reliable labor force for our industry.

Monte Lake, a Washington, D.C.,-based agriculture lobbyist and attorney with CJ Lake LLC, discussed immigration bills in the U.S. Senate and House of Representatives. "The H-2A program is basically our safety valve," he said. "It's very easy to get despondent. We have no choice but to be vigilant and keep the pressure on our members of Congress. We won't get a perfect bill."

Staying engaged in the topic and advocating needs is vital to the future of immigration reform for the agriculture industry. It was promising to see the room filled to hear the commentary on this issue. Industry representatives and growers must stay united and vocal on an issue as imperative as labor for the success of U.S.-grown crops. We have not reached our destination for labor reform; we have merely begun the journey.

## Do your homework on Healthcare reform



by Daniel Cavazos  
Veg Pro International

The 70th annual FFVA Convention played host to variety of speakers who addressed members on key issues affecting Florida agriculture. Sheldon Blumling of Fisher & Phillips specifically addressed the audience on health care reform. Although the enforcement of the employer pay-or-play mandate has been delayed until 2015, putting off the issue for next year is not an option. Employers need to start preparing for the obstacles the mandate will bring.

Looking at health care reform from a big-picture standpoint, the primary goal is for everyone to be covered by health insurance. The primary tools will consist of the individual mandate, employer mandate and insurance exchanges or "marketplaces." Those employers looking for agriculture exemptions can forget about it. "There are no magic solutions," Blumling said. "The employer pay-or-play mandate applies to all large employers." Large employers, as defined by the mandate, are those who employ 50 or more full-time employees, or someone who works 30 or more hours per week or 130 hours per month. The 50 or more test is based upon prior year employee counts, requires a month-by-month determination, and is determined on a "controlled group" basis.

Although there is a seasonal worker excep-

tion to the 50 or more test, it does not constitute a free pass for ag employers or a blanket exclusion of seasonal workers. It applies if there are 50 or more full-time employees for 120 days or fewer during the year and any employees in excess of 50 seasonal workers.

If an employer fails to "play" by not offering coverage to all full-time employees and their dependents and at least one full-time employee receives federal premium assistance for purchasing coverage through an insurance exchange, the employer will pay an annual penalty of \$2,000 per full-time employee, excluding the first 30. Just remember that all that needs to be done is an offer. Once the employee decides to go elsewhere, employers are in the clear. You can see how these costs can add up if you are a large employer. Using separate entities for the 50 or more rule will not work. Parent companies and their subsidies are all counted as one, therefore putting most employers far beyond the 50 or more test.

We do not know what will happen with health care reform and shouldn't rely on legislative changes. The recent government shutdown caused delays in the implementation of certain provisions to the law. FFVA strategically scheduled health care reform workshops around the state to inform and educate employers on the issues they will face with health care reform.



*Congratulations to Class 2 members who completed their program at FFVA 2013 with a graduation ceremony at the Awards Luncheon.*



Class 2 (left to right): Sonia Tighe (program director), Joby Sherrod, Lee Ann Hinton Coleman, Thomas Dalton, Ian Bessell, Jonathan Allen, Nick Basore, Derek Orsenigo, Jessica Kerstein, Tom Mitchell, Amber Kosinsky, Carleton Johns and Cam Hanna (representing sustaining sponsor, DuPont Crop Protection).

*Class 3 meets for its first session next week. Look for those stories in the next issue.*

## Looking ahead



by Clayton Norman  
DuPont Crop Protection

As I sat with the other members of Class 3 at the Awards Luncheon, I couldn't help but think what a great spread we had during all of the meals. We are all in the ag industry, so of course we are going to eat well, right?

This was the second day for me as a class member of the program and I was still trying to figure everything out. Have you ever heard the statement, "Drinking from a fire hose of information?" Tom Mitchell from Riverfront Packing Company, LLC from ELDP did a wonderful job with his prayer before lunch. After lunch, Sonia Tighe spoke about FFVA's ELDP program and the importance it has on our industry. She spoke about networking during the program, the experiences and the lasting relationships. Classes 1, 2, and 3 were all recognized at the lunch. Next up was a great video from the Class 2 experiences.

The sustaining sponsor of the program, DuPont Crop Protection, was recognized. Cam Hanna, Florida grower account manager, said sponsorship of the program is a natural fit for DuPont because it's an investment in the future of the industry, and the company is committed to Florida agriculture.

Just before the certificates were handed out, Class 2 spokesman Carleton Johns described their trips, the people they met and the great times they had throughout the program. He joked about having to be the speaker for the group because his newsletter articles were past deadline. Sonia Tighe also received recognition for her work running the program. Congratulations to ELDP Class 2. I can't wait to join you next year as a graduate of the Emerging Leader Development Program.

I'm looking forward to the upcoming year and events that are going to take place. The next stop is FFVA's main office, so stay tuned.



# ELDP ALUMNI

... updates from Class 1 & 2



## Rachel Walters

I am loving my new job, soybean and corn harvest should be wrapped up soon in Indiana with excellent yields.

## Ian Bessell

I was recently hired by Birko as director of business development and food safety for produce.

## Michael Hill

I participated in a panel at the Florida Ag Expo on Nov. 6, discussing opportunities and challenges for Florida specialty crop producers.

## Jennifer Hodges and April Roe Porter

Both have been selected for the Class IX of the Wedgworth Leadership Institute.



## Adam Trott

I wish I could have made it to convention this year but I'm sure I will make it to the next one. I recently became an uncle for the first time. We traveled to Connecticut to visit the new parents and my nephew. Pictured left is me and Payton with Garrett Taylor Kruger Jr., GT for short. Everyone is healthy and happy.