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LEGISLATIVE SNAPSHOT

California Association of Nurseries and Garden Centers

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Nursery Commission Discussed

On February 23, CANGC's Chairman of the Board Don Dillon, Jr., Executive Vice President Bob Falconer and CANGC's legislative advocate George Soares attended a meeting of the Nursery Growers Association (NGA) in Orange, CA, where they were part of a presentation on the potential of a state commission to assess and serve the nursery industry in California. This meeting was the first public rollout of the subject after being discussed internally by NGA and CANGC's Nursery Growers Council for some months.

Past efforts to create a nursery industry program have been unsuccessful for various reasons. In the meantime, several segments of the nursery industry have created individual programs to serve their needs. These programs include the Fruit Tree/Nut Tree/Grapevine Industry Advisory Board, the California Citrus Nursery Advisory Board, and the Grape Rootstock Commission to name three. The intention of this proposal is to recognize existing programs and exempt those nursery products already covered by an existing program, or those that would not be served by such a program.

A commission is a mandatory program that assesses a particular crop at a rate specified by the enabling legislation and by the board of the commission, which is comprised of growers that are paying the assessment. The board also directs where and how the funds are spent. The appeal of this sort of program at this time arises from the ongoing stream of issues that has hit the industry in the past several years. These issues include, but are not limited to, the Red Imported Fire Ant, Glassy-winged Sharpshooter, Sudden Oak Death, invasive plants and water restrictions.

The problems facing industry leaders trying to address issues such as these is the lack of resources to direct towards research, outreach and educational efforts to better serve and represent the nursery industry. For example, the industry finds itself defenseless when regulatory agencies propose and enact actions or restrictions on nurseries when often a less burdensome actions could be just as effective.

Many of the details of nursery stock commission are yet to be worked out. Questions, such as the size and make up of the board, assessment rate, what nursery crops would be subject to the commission's assessment and the scope of work, will be discussed and developed in the coming months with input from industry members.

George Soares is a valuable resource in this effort, as he has been involved in the creation of 18 of the 19 existing state commissions currently in place. Soares answered many technical questions at this week's meeting, such as what the role of the commission is and how it is formed and governed. Look for more details on this subject in the coming months.

Labeling of Container Size Questioned

An action in Pennsylvania has spread onto the national front regarding advertised container sizes. Last year, the Pennsylvania Department of Agriculture Division of Weights and Measures was alerted that containers were labeled as one gallon that were not actually one gallon. This issue was taken up by the National Institute for Standards and Testing (NIST) that will be working with industry representatives to address this truth in advertising issue.

In the end, it is likely that various methods of labeling plants will be acceptable such as plant height, container volume including metric equivalent or minimum diameter measurement. CANGC's Grower Member Director Dave Fujino of Hines Horticulture sits on a committee of the American Nursery and Landscape Association formed to provide input to NIST on this issue. The aim is to develop an acceptable industry solution that will negate the need for regulatory fix.

Fire Ant Legislation Introduced

CANGC has introduced legislation relative to the Red Imported Fire Ant program in California. Last year in the fall out of the state budget shortfall, the state cut back most of the funding for the fire ant program in California. Left in place was the regulatory program that allowed nurseries to still certify their nursery stock free of RIFA for shipment.

Lost was the program that funded local efforts in Southern California to detect and treat properties for RIFA that is credited for greatly reducing and, in some areas, getting rid of the ant altogether. The legislation states the importance of stopping the spread of RIFA, but may be used as a vehicle to secure funding should the opportunity present itself in the future.