

INLA
IOWA NURSERY &
LANDSCAPE
ASSOCIATION

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NEWS

ANLA Testifies Before Congress on Worker Program

By: Craig Regelbrugge

Joe Bailey, of Bailey Nurseries, St. Paul, MN, testified on September 13 before the House Education and Workforce Subcommittee on Worker Protections. His testimony, presented on behalf of the American Nursery & Landscape Association, briefed Congress on the labor situation confronting U.S. specialty crop agriculture and the nursery industry just as the House Judiciary Committee is taking up a bill that would make the federal E-Verify program mandatory for all employers.

Bailey described how his 106 year-old nursery has survived through the worker shortages of World War II, immigration audits and a raid, attempts to use H-2A, and E-Verify. He described in detail how with the unresponsive H-2A program, workers often failed to show up when needed for a highly seasonal business where six spring weeks are crucial. He also explained extensive efforts in 2011 to recruit American workers for seasonal jobs. The nursery needed 500 seasonal workers, yet was only able to hire 350, many of whom didn't stay through the season.

Bailey wasn't the only hearing witness critical of H-2A, and the Department of Labor's (DOL) hostile administration of the program. Libby Whitley Fulton, who runs a private Virginia company that assists employers in using the program, described the startling results of an extensive research project commissioned by the National Council of Agricultural Employers. Even though H-2A only supplies between three and five percent of U.S. farms' labor needs, users reported losses totaling \$320 million due to failures and limitations of the program. Grower appeals of arbitrary DOL denials have skyrocketed from a long-term annual average of 18, to nearly 450 in 2010. When challenged, DOL lost 90 percent of these appeals. A summary of the research can be found at:

http://www.ncaeonline.org/files/ALRP2011_brochure.pdf

Education and Workforce Committee chairman John Kline (R-MN) states, as he questioned DOL's official witness, "You are having a worse than chilling...a freezing effect," on those trying

to use the program to ensure a legal workforce. Kline went on to say that DOL's administration of the program is not only hurting H-2A workers, but also their American counterparts. In Bailey's case, a seasonal workforce of 900 supports 500 full-time, year-round American jobs that will disappear if seasonal labor needs are unmet. The hearing came just as House Judiciary Committee chairman Lamar Smith (R-TX) announced that his committee will take up his E-Verify legislation on September 15. He also plans to take up H.R.2847, legislation that would make some improvements to H-2A. However, producer groups including the Agriculture Coalition for Immigration Reform believe that improvements to H-2A will be woefully inadequate to meet their labor needs if E-Verify screens out 50 to 70 percent of experienced agricultural workers. "Even a vastly improved H-2A cannot bridge the chasm between the current legal workforce, and the workforce needed to keep American-produced food on American tables," said Craig Regelbrugge, ACIR national co-chairman. Offshoring of production, jobs, and economic activity to foreign countries will result, he added.

Rep. Dan Lungren (R-CA) plans to offer an alternative approach, H.R.2895, or the Legal Agricultural Workforce Act. It would create a new agricultural worker visa program that is considerably more flexible and market-based than the flawed and outdated H-2A model. "If a company like ours, one of the largest and most sophisticated in our industry, cannot make H-2A work, something is very wrong," said Bailey. "Agriculture needs a legal labor safety net program that actually works." Bailey's full written testimony can be viewed at www.ANLA.org.

For more information contact :
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Japanese Beetle Munching Away on Iowa Plants, Trees with Fury

By: Perry Beeman

Kirkwood Community College in Cedar Rapids has spent hundreds of dollars in the past few years spraying its cherished vineyard to control a colorful but unwelcome invader that is munching trees and plants over much of Iowa.

Japanese beetles took a long time to reach Iowa — they were first spotted in the United States in 1916 from nursery stock in New Jersey.

But they are now making themselves at home here with a fury, documented in 55 counties. That includes three that discovered the pests for the first time this year — Poweshiek, Fremont and Humboldt. Last year, Audubon, Carroll, Cherokee, Hamilton, Harrison and Ida joined the list.

In 2008, only 25 Iowa counties had Japanese beetles. In 1994, only the Davenport area had recorded the beetle, which feeds on the leaves of 300 tree and plant species and on grass roots. “They are continuing to expand their territory,” said state entomologist Robin Pruisner. “There is not a lot you can do to stop them. I call them flying little tanks. They seem to bounce back from treatments.”

The beetles usually don’t kill healthy plants, but they can reduce production on a grape vine. If a tree is weakened, the beetle’s leaf-munching ways are just one more invitation to disease, Pruisner said.

Iowa’s resurgent wine-grape industry is particularly on guard.

“They are a major threat,” said Tom Moore, Kirkwood’s wine-grape authority. The school has a vineyard and a winery and sprays pesticides weekly as needed to kill the beetles.

“If you don’t treat for them, you would lose your vineyard,” Moore added. The beetles also like to eat soybeans, Linden trees and grapevines from top to bottom. They don’t dine on the grapes, but they can reduce yields.

They are trespassers spreading across the Midwest and expanding

their range out West after firmly establishing their territory along the East Coast.

The beetles can be knocked down with pesticides, but even that leaves a mess. “One year we had a solid layer of dead beetles,” Moore said. “You couldn’t see the ground.”

Homeowners sometimes buy traps for the beetles. It’s a bad idea.

“They tend to bring more of the beetles in than they trap,” said Pruisner.

Linden trees and grapevines are like chocolate to these little guys, but they regularly eat the greenery of more than 300 species of trees and plants, including roses.

“I usually look at the poplar trees,” Pruisner said of her checks for infestations. “They are like a hot fudge sundae to them.”

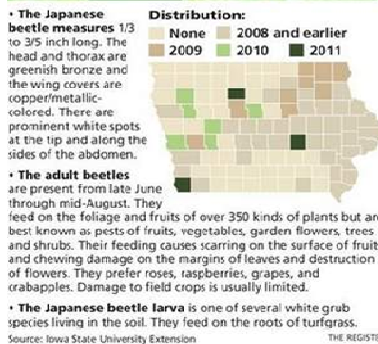
Mike White, Iowa State University’s wine-grape expert, said 10 to 15 percent of Iowa’s 300 vineyards get damage bad enough to spray for the pests in any given year. Those operations feed 92 wineries statewide. It’s a high-visibility problem. “You don’t have to look for them, they are just everywhere,” he said.

The beetles quickly spread to Davenport, Muscatine, Cedar Rapids, Des Moines, Ames and Council Bluffs once they found their way over the Mississippi River. “That is where we are seeing the biggest problems, because they’ve been there the longest,” White said.

Iowa State University entomologist Laura Jesse said the initial shock wave of the beetles may ease in coming years.

“When a new insect moves into an area, we have explosions of numbers,” Jesse said. “Over the next decade, the natural controls or parasitic insects will catch up with the population.”

This article can be found at: www.desmoinesregister.com/article/20110904/NEWS/309040048/Japanese-beetle-munching-away-on-iowa-plants-trees-with-fury



NLRB Finalizes New Poster Rule

The National Labor Relations Board (NLRB) has issued a final rule requiring employers to display a poster explaining to employees their labor relations rights. The final rule takes effect November 14, 2011.

The posting requirement applies to all private-sector employers (including labor unions) subject to the National Labor Relations Act (NLRA), which excludes agricultural, railroad, and airline employers. Even if there is no union in your workplace you still have to post the notice. The NLRB has a long standing policy that it “chooses” not to assert its jurisdiction over very small employers whose annual volume of business is not large enough to have a more than a slight effect on interstate commerce. The NLRB’s general jurisdictional standards are summarized in the rule and some of them are industry specific.

There are two notable “size exemptions.” One applies to retailers. As the NLRB expresses it, the NLRB will not “take” jurisdiction over any such employer that has a gross annual volume of business of less than \$500,000.

An “other employer” exemption is based either on the amount of goods sold or services provided by the employer out of state

(called “outflow”) or goods or services purchased by the employer from out of state (called “inflow”). The NLRB will not “take” jurisdiction over any employer with an annual inflow or outflow of at less than \$50,000. Outflow can be either direct -- to out-of-state purchasers – or indirect – to purchasers that meet other jurisdictional standards. Inflow can also be direct – purchased directly from out of state – or indirect – purchased from sellers within the state that purchased them from out-of-state sellers.

The American Nursery and Landscape Association (ANLA) says the bottom line is this: operations that are engaged in nursery and greenhouse growing only fall under the agricultural exemption and need not comply. For retail, landscape, and distribution operations, most will be covered unless small enough to fall under the limited exemptions. ANLA will continue to monitor this and other actions by the NLRB and their impact on your business.

If you have any questions or concerns please contact Craig Regelbrugge (cregelbrugge@anla.org) or Hadley Sosnoff (hsosnoff@anla.org).

USDA Proposes to Restrict Certain Plant Imports

The United States Department of Agriculture (USDA) is moving to restrict 148 plant taxa due to concerns that the plants are quarantine pests, or hosts of quarantine pests. The USDA is requesting comments on the 148 plant taxa they have determined should not be authorized for importation, pending a pest risk analysis. Comments are due by September 26, 2011.

Data sheets have been prepared by the USDA that detail the scientific evidence they evaluated in making the determi-

nation that the taxa are quarantine pests or hosts of quarantine pests.

The data sheets can be reviewed at: www.regulations.gov/#!/documentDetail;D=APHIS-2011-0072-0003.

Comments can be reviewed and submitted online at: www.regulations.gov/#!/docketDetail;D=APHIS-2011-0072.

Multiple Causes Suspected in Decline of Iowa Bees

By: Cindy Hadish

Up to 40,000 worker bees bustle in one nightstand-sized hive at Noble Bee Honey. That healthy buzz hasn't been the norm in recent years because of [colony collapse disorder](#).

"We never had a problem like this when I started in the 1990s," owner Matt Stewart said of the phenomenon, first identified in the United States' bee population in 2006. "Ones with the disease, they're leaving. They're going off to die somewhere."

Colonies with the disorder have a live queen, but no adult honey bees or dead bees in the hive.

Colony collapse takes an annual toll. Like many other Iowa beekeepers, Stewart has been losing up to 70 percent of his bees each year. Before the disorder, about 20 percent might die over winter.

Research is under way at Iowa State University, the University of Iowa and elsewhere, but no single underlying cause has been pinpointed, said Andrew Joseph, Iowa's state [apiarist](#), or beekeeper.

Cases of colony collapse disorder have been confirmed in Iowa for several years, he said, including one commercial beekeeper who lost more than 5,000 colonies in Eastern Iowa last year. That's likely just the tip of the iceberg.

"The reality is that it happens more without being reported to us," Joseph said. "It is very much here. Our bees are sick. That's what it comes down to."

UI biology professor Steve Hendrix said even as scientists work to understand colony collapse, a new term has emerged that reflects reality: unexplained overwintering losses. Hendrix is working on a study with wild bees collected from Iowa's prairie preserves, also important pollinators.

Scientists are concluding that colony collapse likely has more than one cause, Hendrix said, citing fungal diseases and new viruses among the pathogens and pests.

Those factors take a toll on the bees' health, he said, similar to a person weakened by illness who catches pneumonia and dies of that disease, rather than the initial illness.

"One other thing happens, and that's what knocks them down," Hendrix said.

Joseph cited a fungal parasite, *nosema ceranae*, which gives bees dysentery, and varroa mites that pierce and leave gaping wounds in bees among factors weakening colonies. Fewer pollen sources that provide bees with proper amino acids and other

nutrients also likely play a role, he said.

European studies have cited genetically modified crops as another factor, but Joseph said similar studies have not been conducted in the United States. He and others discount cellphone signals — a theory that made international headlines — as a cause.

Iowa has about 2,000 beekeepers, with a total of 30,000 to 35,000 honey bee colonies. The majority are hobbyists who keep two to seven colonies, with a dozen or so commercial beekeepers keeping thousands of colonies. Those commercial bees usually go to California for the winter, where the almond crop relies on honeybee pollination.

Joseph said beekeepers are paid about \$100 per colony for pollination work — income needed to balance annual deficits to buy new bees each spring.

According to the [U.S. Department of Agriculture](#), bee pollination is responsible for \$15 billion in added crop value annually, particularly for nuts, berries, fruits and vegetables. In Iowa, honeybees generally are not needed for the state's two major crops, corn and soybeans, but Joseph estimated the value of bee-pollinated crops at about \$180 million for apples and other fruits and vegetables.

Iowa also has an annual honey crop of about 2 million pounds, with a bulk price currently at \$1.70 per pound.

Stewart and his wife, Patty, hope to collect 60 pounds of buckwheat honey to sell at Saturday's Downtown Farmers Market in Cedar Rapids. The \$6 per pound that specialty honey brings won't compensate for all their losses, but the couple's 50 hives provide a sustainable living, while Patty Stewart works part time at the Ox Yoke Inn in Amana.

When customers ask how they can help, Stewart points to avoiding pesticide use and planting good nectar sources, such as red clover and bee balm.

Stewart said the way to really bring back the bees' health isn't likely to happen: returning to a different era of agriculture.

"Modern agriculture has really done a one-two punch on them," Stewart said. "Honeybees aren't healthy anymore, and this is bringing them down."

This article can be found at: thegazette.com/2011/09/16/multiple-causes-suspected-in-decline-of-iowa-bees/

SAVE THE DATES

56th Annual Iowa State University Shade Tree Short Course and Iowa Nursery & Landscape Association Conference and Trade Show

February 21-23, 2012 . Scheman Building . ISU . Ames, IA

Attendees, look for registration forms in December. If you are interested in displaying your wares and services at the Shade Tree Short Course and INLA Trade Show, please contact the INLA office at 515.262.8323.
Go to: www.ucs.iastate.edu/mnet/shadetree/home.html for more information.

Thank you to Members Who Have Renewed Their Commitment to INLA!

Thank you to the following INLA members who have renewed their membership and paid 2011—2012 dues since the last INLA newsletter. We appreciate your support of the Iowa Nursery and Landscape Association! INLA strives to promote certified Garden Center and Landscaping professionals.

** Indicates an ICNP dues paying member.*

Aunt Rhodie's Landscaping & Design Studio*

Alec Schrog - Davenport, IA

Bluebird Nursery, Inc.

Mike Hamernik - Clarkson, NE

Brenton Arboretum*

Lynn Kuhn - Granger, IA

Kirkwood Community College*

Cary Warner - Cedar Rapids, IA

Central Landscape Supply

Herman Roerick - St. Cloud, MN

Country Landscapes, Inc.

Jim Mason - Ames, IA

Dutch Meadows Landscaping, Inc.

Sherryl Nunnikhoven - Pella, IA

Egli Landscapes*

Tim Egli & Dan Wolf - Wayland, IA

Ferguson's Garden Center, Inc.

Chris/Renee Quance - Spirit Lake, IA

Green Gables*

Ann Grimm - West Bend, IA

Greenscape Turf & Design, Inc.

Ron Greene - Muscatine, IA

Ground Effects Landscape & Produce, LP

Justin - Sioux Center, IA

Hawcott Lawn Service

Nevada, IA

Hearth & Home Gardens*

Christine Robinson - Johnston, IA

Ingrid's Landscaping

Ingrid Anderson-Quint/Bruce Anderson - Ryan, IA

Iowa State University

Ann Marie VanDerZanden - Ames, IA

Lehman's Greenhouse LLC

Rick Lehman - Glenwood, IA

Loma Vista Nursery

Caitlin Hupp - Ottawa, KS

Monroe Truck Equipment

Monroe, WI

Morrison Brothers Tree Farm

Tom Stecklein - Dubuque, IA

TNT Landscaping*

Bret Wram - Ankeny, IA

Twixwood Nursery, LLC

Homer Trecartin - Berrien Springs, MI

Vic Scott Landscaping & Nursery*

Vic/Todd Scott - Ankeny, IA