

NEWS, NOTES & QUOTES



National Newsletter of the Mulch & Soil Council

April 2023

COUNCIL NEWS

MSC BOARD REPORT



The MSC Board of Directors held its quarterly meeting via Zoom on April 28. Council President Jim Weber opened the meeting with a welcome to directors and comments on industry progress. Executive Director Bob LaGasse gave a recap of headquarters activities since the last meeting with special attention on key items such as completing the national consumer survey, bylaws revision work, reversing Michigan MDARD position on potting soil and growing media label changes, weekly L&R monitoring reports, development of a new plant manager training program, and more.

The Board then reviewed the Certification Committee report showing 291 certified products compared to 294 at the same time last year. Product auditing is ahead of last year's schedule with audit tours completed in the Southeast, South, and West with 36 soil products tested and 64 mulches tested while presently waiting for the western product shipments to arrive for testing. The current testing cycle is ahead of last year with all the Southeast and Southern product testing completed and results reported to the producers.

The Board then reviewed the results of the consumer survey regarding OMRI and organic certification. The survey showed only 3.8% of the public sees the OMRI logo on packages and has any idea what it means. Half of all consumers believe organic and all-natural mean the same thing and 50% more consumers would choose a bag labeled "Certified All-Natural by the Mulch & Soil Council" over an "organic" label claim. Based on this information, staff recommends the committee consider moving forward on an all-natural certification program which should be discussed at the next meeting in Nashville.

The Board then reviewed the results of the national consumer survey conducted by Technometrica Market Intelligence earlier this month. It was noted there were significant increases in the number of stable buyers of mulch with new data on bagged mulch sales and even newer information on bulk mulch sales. Because the difference is so great, the data will be resurveyed by TMI for verification.

The Board also reviewed current legislative & regulatory activities with special focus on Per- & Polyfluoroalkyl Substances (PFAS). Bob LaGasse reported on the rising regulatory concern for PFAS at EPA, USDA and many state governments. Since much concern focuses on biosolids and waste water applied to farm and pasture lands, the potential to impact the mulch and soil industry is increasing. At the present, there is much confusion on the issue, but MSC is tracking the science and regulatory concerns and will advise the Board when action should be taken.

In the final part of the meeting, the Board reviewed staff proposals for plant managers training courses on topics other than weights & measures. Program Chair Larry Doose reviewed his proposals for program topics for the 52nd Annual Meeting on October 10-12 in Savannah, and Assoc. Executive Director Shelli Williams reported that sponsorship and booth sales opened on April 25 and all sponsorships and all but 5 of the 25 booths for the

ORGANIC CERTIFICATION SUB-COMMITTEE REPORT



meeting sold out in less than 24 hours.

The next meeting of the Board will be in Nashville in July.

###

As reported earlier, the MSC Certification Committee created a special sub-committee to investigate the need and opportunities to support and expand product sales to consumers interested in buying organic and all-natural products.

From the industry's standpoint, you cannot have a mulch or soil "Certified Organic" label under the USDA National Organic Program (NOP) because NOP certifies the end food product and the process it goes through, but it does not certify any individual inputs into the process.

The Organic Materials Review Institute (OMRI) "certifies" that products that meet special criteria and display their logo would not disqualify an organic grower from NOP certification. However, OMRI, itself, states (in a very small print footnote) that "OMRI LISTED" does not mean the product is certified organic. Generally, the state and independent agencies that certify grower operations as "Certified Organic" producers for USDA tend to accept OMRI certification for inputs, but none of them are actually required to accept it — hence the footnote.

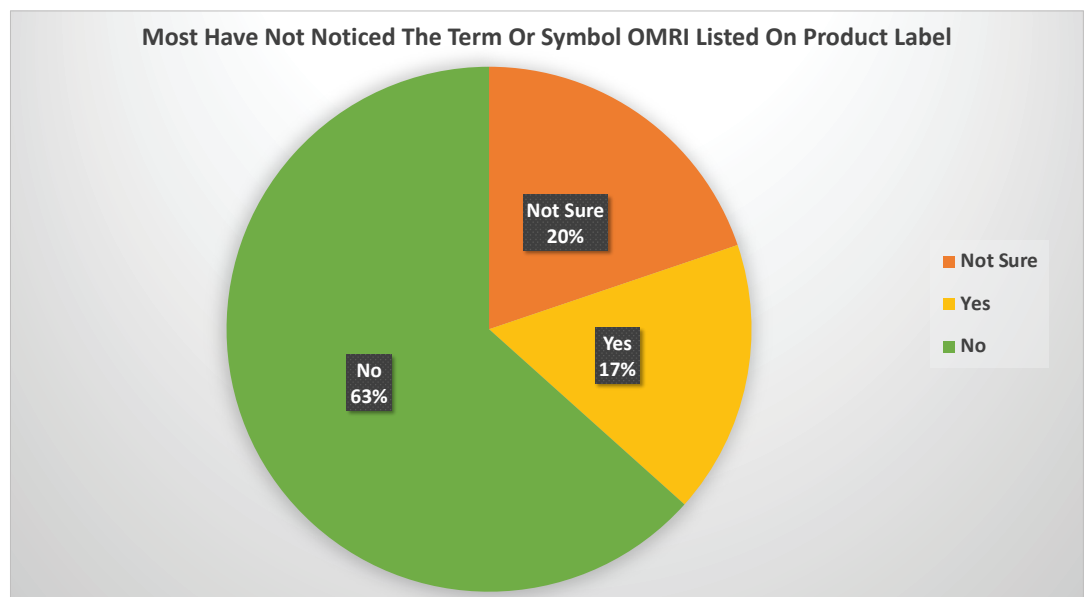
While there are other industry issues with OMRI process, procedure, definitions and costs, the question was whether the very cryptic "OMRI LISTED" logo on many lawn & garden products already adequately satisfies the need of consumers, retailers and industry product producers.

To find out, the sub-committee joined with the Industry Statistics Committee to add questions to an already-planned national consumer survey being commissioned through Technometrica Market Intelligence. In early April, TMI surveyed 1,414 consumers from its national consumer database giving a 95% confidence level that the responses are within +/- 2.8% accuracy.

Again, a key question is whether the existing OMRI LISTED certification dominates the consumer market so well that the bar is too high to justify MSC entering the market at this time. Of the 1,414 households we surveyed, 1,108 (77%) had a yard or garden. So, we asked those households with a yard or garden:

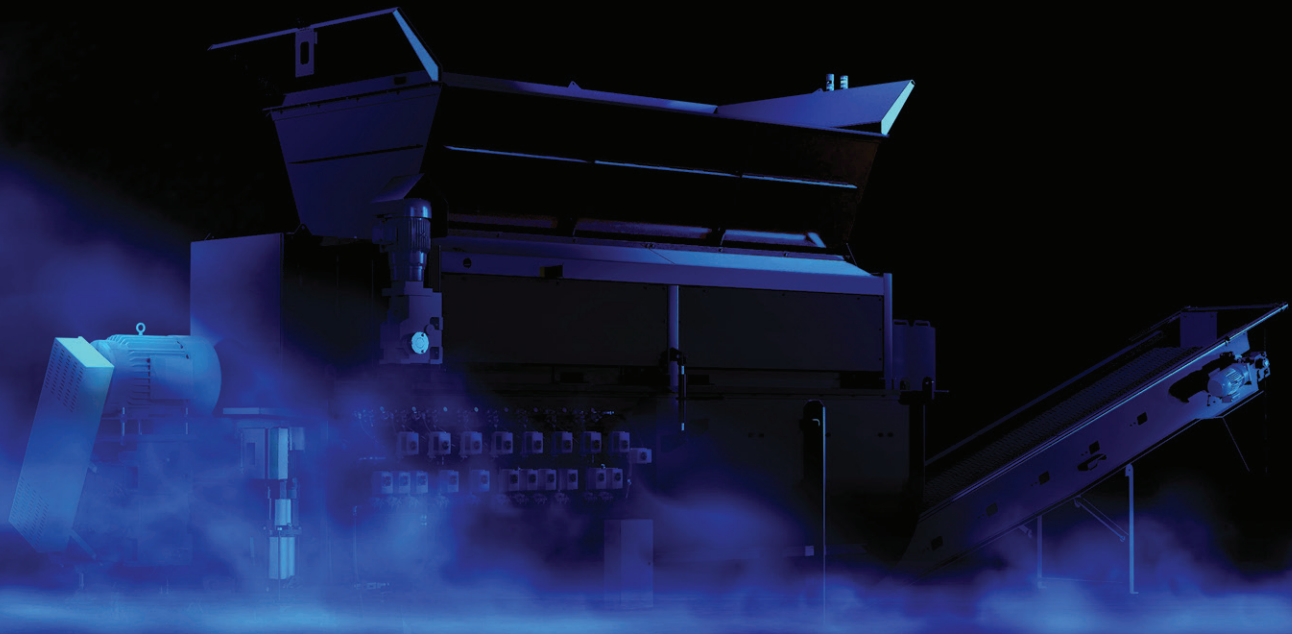
1. **Have you seen/noticed the term or symbol "OMRI LISTED" on a product label?**

- **63% of consumers have not noticed the OMRI LISTED symbol on bags**
- 17% said they had noticed the OMRI LISTED symbol (A total of 181 responses)
- 20% said they were not sure





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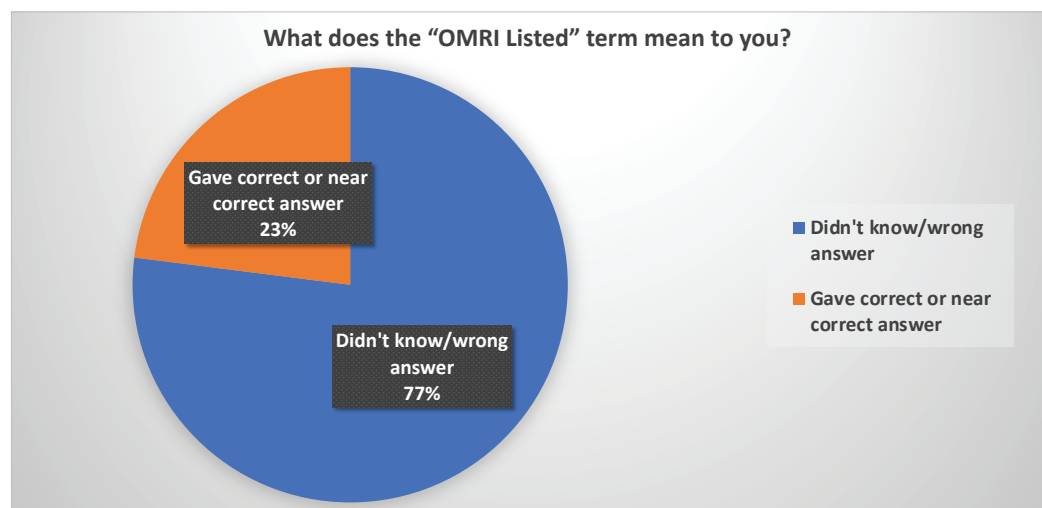
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So, only 17% of households across the country even noticed the OMRI logo on any packages. But since “OMRI” is not self-explanatory as to what it is or means, we went on to ask those who say they noticed the logo to say what they thought it means. The question was an open response (fill in the blank) in order not to suggest any possible meaning in a response option. The responses were then individually reviewed and counted as “wrong” or “correct or almost correct” and any organic or sustainable response was accepted.

2. **What does the term or symbol “OMRI LISTED” on a product label mean to you?**

- 77% of respondents who said they noticed the OMRI symbol on packages gave an incorrect answer for the meaning of the symbol
- Only 23% of respondents who said they noticed the OMRI symbol on packages gave a correct or nearly correct answer for the meaning of the symbol
- **Only 3.8% of consumers see and understand correctly what OMRI LISTED means on a package.**

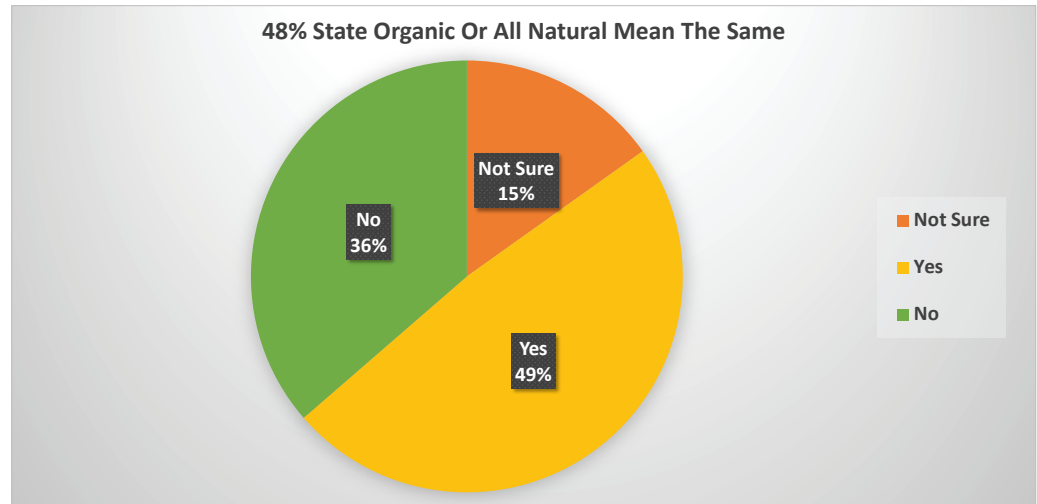


The vast majority of responses (77%) were completely wrong or stated they did not know. The remaining “correct or near correct” responses represented only 3.8% of all consumer households in the nation with a yard or garden (estimated 3.84 million households) who see and understand what the OMRI LISTED logo means on a product. From that data it appears that OMRI does not have a major or even significant lock on the consumer lawn & garden market.

The next issue the sub-committee addressed was the consumers’ attitudes on “organic” vs “all-natural”. Organic is a term that is used in many different ways and has evolved, or devolved, into multiple meanings for the consumer public. We are not talking about the fanatic organic farming community but rather the general gardening public who have no intention of seeking NOP certified organic status but want what they believe is a natural or “chemical free” product. To avoid conflicts with the fervent organic lobby, using an acceptable alternative for consumers could be useful; so, we asked:

3. **Thinking about garden products, generally speaking, does “Organic” or “All Natural” mean the same to you? (Yes/No/Not Sure)**

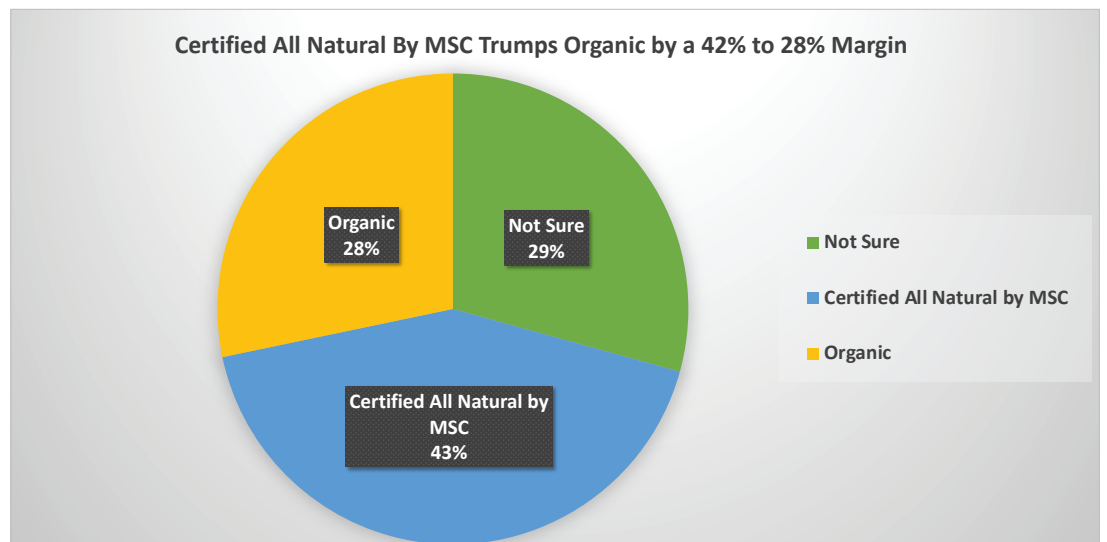
- 48% of the public believe organic and all-natural have the same meaning
- 36% of the public believe the terms are not the same
- 15% of the public were not sure



The largest group of households with a yard or garden (49%) believe organic and all-natural are the same. Households who believe the terms are different represent 36% of respondents which is 25% LESS than those who believe they are the same. The number of households who would accept all natural and organic equally is estimated at a very significant market of over 48.4 million households.

The sub-committee also considered that there are no “certified organic” mulch or soil products (remember OMRI disclaims certified organic) in the market but there are products labeled just organic. That raises the question of whether the public would prefer a simple organic label compared to a certified all natural by the MSC label; so, we asked:

4. **If you go shopping for soil or mulch and come across a bag labeled "Organic" and another labeled "Certified All Natural by the Mulch & Soil Council," which one are you more likely to buy?**



- 28% of consumers would choose organic over “Certified All Natural by MSC”
- **43% would choose Certified All Natural by MSC over organic (a 50% increase)**
- 29% of respondents were unsure which they would choose.

Fewer than 1 in 3 consumers would choose a product labeled just organic, but 50% MORE (or 42%) would buy the product labeled certified all natural by the Mulch & Soil Council. Based on this data, Council staff will further investigate the option of creating a “Certified All Natural by the Mulch & Soil Council” for the Organic Subcommittee to consider at their next meeting in July. Members with an interest in this committee activity should contact the Council office for more information.

MMSC Annual Meeting Program Chair Larry Doose (Silva Corp.) has announced the 52nd Annual Meeting Keynote Speaker for Savannah, GA, this October 10-12 is :



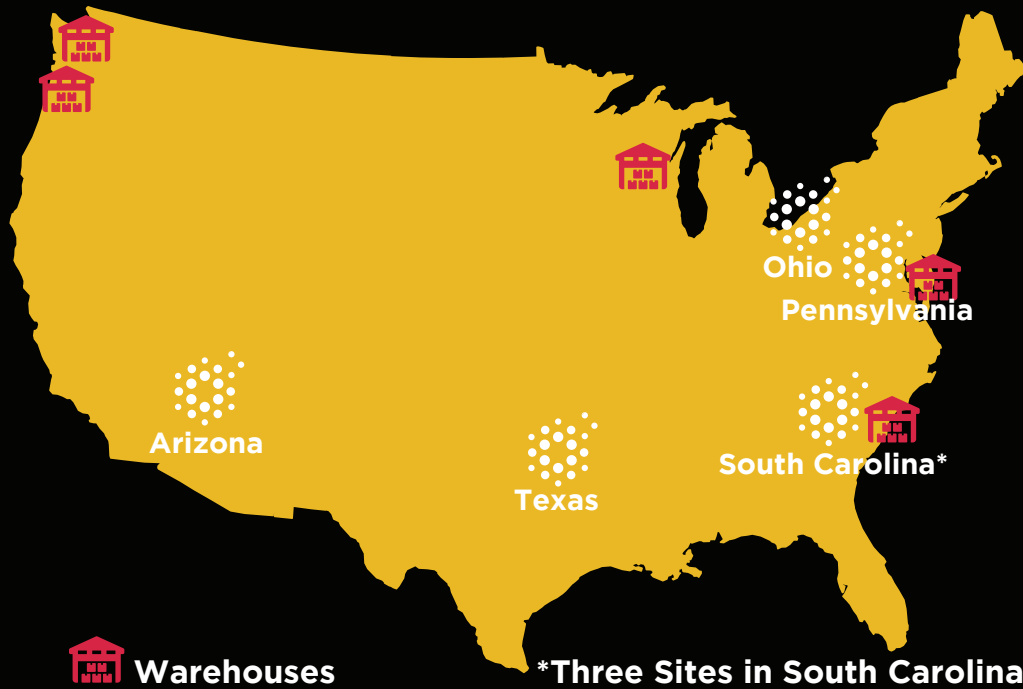
KEN SCHMIDT

Authentic Leadership and Customer Loyalty Expert; Senior Role in Harley-Davidson Turnaround; and Author, *Make Some Noise: The Unconventional Road to Dominance*

It's an impersonal world, where so many products and services are seen as easily-replaced, indistinct commodities. Whether you stand out or get lost in the crowd is a choice. A mindset. Ken Schmidt faced those same challenges himself and gained acclaim for his role in the extraordinary turnaround of the legendary Harley-Davidson Motor Company. That transformation was based on a change in mindset and a focus on answering three key strategic questions. While times have changed, what humans want and need from the businesses they buy from and work for hasn't. Ken inspires companies and individuals to shift their thinking and ride a path to success by becoming memorable – not for what they do or what they make, but for how they connect with people. Ken is author of *Make Some Noise: The Unconventional Road to Dominance*. He's also host of the *Tailgating with Geniuses* podcast and co-founder of Torque Sessions Leadership Training. In all of his endeavors, Ken brings an unconventional perspective that helps organizations and individuals reframe how they engage with their marketplace. **Hear Ken describe the principles that resulted in one of the greatest comebacks in American manufacturing history by the iconic Harley Davidson Company and how that can guide you to the top of today's commoditized markets.**



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CALL FOR HONORS NOMINATIONS



Volunteers are the essential engine that powers many programs and activities of the Mulch & Soil Council. From committees to the Board of Directors, the selfless service of members combines the business and industry knowledge of many individuals into a consensus-driven body of action. In the MSC, everyone who wants to constructively participate is welcomed to join our efforts to create a rising tide that lifts all boats.

The Mulch & Soil Council is grateful for all the tremendous contributions made by volunteers every year, and we thank everyone who has taken time to share their expertise for the benefit of all members and the industry at large.

Such was the case of John Leber who was the president of Swanson Bark and Wood Products and served the Council with distinction for many years as a director and as the Secretary / Treasurer until his untimely death in an industrial accident in 2015. As a memorial to John, the Board of Directors created a special, John Leber Distinguished Service Award to recognize an individual or organization that has demonstrated an extraordinary commitment to advancing the objectives of the Mulch & Soil Council and / or the mulch and soil industry. Past recipients include:

- Dr. Bill Fonteno, NC State Univ. — for his exceptional work as the program director of the MSC Product Certification Program.
- Dr. Kathryn Louis, Sun Gro Horticulture — in recognition of many years of service as a director, committee chair and president of the Council and exceptional leadership as president of the Mulch & Soil Research Foundation.
- Steve Jarahian, Oldcastle Lawn & Garden — in recognition of his many years' service as director, program chair, Certification Committee chair and president of the Council.
- Steve Titko, The Scotts Company — in recognition of his many years' service to the Council as a director and chair of the Standards Committee

Call For Nominations

Eligibility: Nominations are open to individuals or organizations who are members of the Council at the time of nomination.

Qualifying Activities: The award is intended for any person or organization providing exceptional service to the Mulch & Soil Council in any of the following examples or similar activities:

- Leadership: as a director, committee member or other program participant of the Council.
- Advocacy: as a spokesman for the Council and / or the mulch and soil industry to the public or government.
- Training & Education: as a mentor sharing his or her expertise with other industry members for the improvement of the industry.

When: Distinguished service may be recognized for a single event / activity or for multiple years of service.

Where: The nominee shall reside within North America.

Nomination & Submission: The MSC Honors Committee shall provide vetted honors candidates to the MSC Board of Directors from nominations by its members or the MSC membership at large. A brief bio shall be included for each candidate.

Nominations Deadline: Nominations should be submitted to membership@mulchandsoilcouncil.org by June 15, 2023. Please include a statement on why the person or organization is being nominated.

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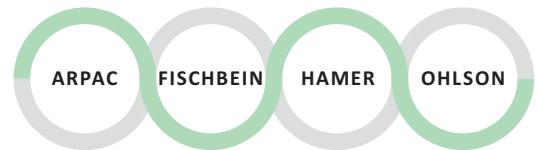
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ANNUAL MEETING SPONSORS

On April 25, sponsorship and exhibit opportunities opened for the 52nd MSC Annual Meeting on October 10-12, 2023, in Savannah, GA. In a matter of just hours, ALL sponsor opportunities were claimed by suppliers eager to support the Council's members and 20 of the 25 exhibit booth spaces were taken immediately.

The Mulch & Soil Council is grateful for the generous support of our Affiliate and Associate members. Their contributions help the Council expand our programs for the meeting while keeping member registrations low and accessible to the greatest number of industry representatives.

At this time, any Associate or Affiliate member interested in one of the few remaining exhibit spaces should contact Shelli Williams at membership@mulchand-soilcouncil.org. to reserve a booth space.

THANK YOU To Our 2023 Annual Meeting Sponsors



###

LEGISLATIVE & REGULATORY NEWS



The CROW Political Report

By David Crow
DC Legislative & Regulatory Services

WOTUS Blocked in 26 States

In April, a federal judge blocked the EPA's WOTUS rule from being enforced in 24 states, issuing a preliminary injunction similar to a ruling in March already blocking the rule in Texas and Idaho. The Biden administration's 2023 Waters of the US, or WOTUS, rule that took effect March 20 is now enjoined in more than half the country.

The 24 states led by West Virginia have "persuasively shown that the new 2023 Rule poses a threat to their sovereign rights and amounts to irreparable harm," Judge Daniel L. Hovland of the US District Court for the District of North Dakota ruled. "The States involved in this litigation will expend unrecoverable resources complying with a rule unlikely to withstand judicial scrutiny," he said.

West Virginia Attorney General Patrick Morrisey said in a statement the rule upsets the balance of power between the states and the federal government. "It's a decades-long effort by the EPA to regulate purely intrastate waters without the explicit consent of lawmakers," Morrisey said. "It creates unneeded delays and costs for farmers, contractors, ranchers and anyone who cares about economic activity."

The latest 24 states include West Virginia, North Dakota, Georgia, Iowa, Alabama, Alaska, Arkansas, Florida, Indiana, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Hampshire, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, Virginia, and Wyoming.

The rule determines which wetlands and waterways are protected under the Clean Water Act as waters of the US. It is enforced by the EPA and the Army Corps of Engineers.



Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is adding Douglas County in Wisconsin to the list of quarantine areas for spongy moth (formerly known as gypsy moth). The moth population in this county has reached the threshold to trigger the quarantine expansion.

To prevent further spread of spongy moth, all interstate movement of regulated articles from Douglas County must be handled in accordance with 7 CFR § 301.45. Wisconsin has established a parallel state quarantine.

Spongy moth is a destructive insect of approximately 300 species of trees and shrubs. The Spongy Moth Program prescribes conditions for the interstate movement of regulated articles from quarantine areas. The federal and state partnership limits the establishment of the moth outside the quarantine area that would result from human-assisted movement of the pest. We appreciate the cooperative relationship with Wisconsin in the effort to limit the spread of spongy moth.

The full lists designating spongy moth quarantine areas and regulated articles are published on the APHIS website at:

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/sa_insects/spongy-moth/

For more information about the Spongy Moth Program and Federal spongy moth regulations, please contact National Policy Manager, Kathryn Bronsky, at (301) 851-2147.

###



The Georgia State Senate on March 23 approved a measure that would temporarily allow heavier trucks on Georgia roads. State law limits trucks to 80,000 pounds, though vehicles carrying certain products are allowed to weigh up to 84,000 pounds. [House Bill 189](#) would double that variance for vehicles carrying forestry and agricultural products, allowing them to weigh up to 88,000 pounds. HB 189 would only apply to state and county roads. Interstate highways fall under control of the federal government, which limits vehicles to 80,000 pounds.

Supporters say the measure would allow businesses to ship their goods more efficiently at a time when inflation is high and truck drivers are scarce. Critics say heavier trucks would lead to more traffic fatalities and cost taxpayers billions of dollars more for road maintenance.

HB 189 has divided lawmakers and morphed several times. [The Georgia House narrowly approved a version](#) that would have allowed trucks carrying a larger variety of products to weigh up to 88,000 pounds.

The Senate version applies only to trucks carrying forestry and agricultural products. It would allow local police to enforce weight restrictions on bridges — something only the

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GA TRUCKS (Cont'd.)



state Department of Public Safety can do now. And the bill would sunset the higher maximum weight in July 2024.

That would give lawmakers time to find a permanent compromise on truck weights. It also would allow them to reach a consensus on a related issue — how to pay for billions of dollars of road and rail improvements that a legislative committee says are needed to accommodate booming freight traffic.

“We want to have a serious conversation about how we fund our roads going forward,” [Majority Leader Steve Gooch](#) (R-Dahlonega) told the Senate.

HB 189 passed the Senate by a vote of 44-5. It now returns to the House.

###

MI COMPOST LABELING REG



The state of Michigan has adopted the following compost labeling regulation effective March 29, 2023:

324.11563.added Sale of general use compost; labeling requirements; management of restricted use compost.

Sec. 11563.

(1) General use compost offered for sale shall be accompanied by a label, in the case of bagged compost, or an information sheet in the case of bulk sales. The label or information sheet shall contain all of the following information:

(a) The name and generator of the compost.

(b) The feedstock and bulking agents used to produce the compost.

(c) Use instructions, including application rates and any restrictions on use.

(d) If the compost is marketed as a fertilizer, micronutrient, or soil conditioner, the label shall list the applicable parameters under section 11565 and comply with the requirements of part 85, if applicable.

(e) If the compost is marketed as a liming material, the label shall list the applicable parameters under section 11565 and shall include a statement indicating that the generator of the compost is in compliance with the applicable requirements of 1955 PA 162, MCL 290.531 to 290.538. The label shall specify the generator's liming license number.

(f) A statement indicating how the user of the compost can obtain the results of all testing, including test parameters and concentration levels.

(2) Restricted use compost shall be managed as provided in any of the following:

(a) Disposed of at a properly licensed landfill.

(b) Stockpiled on-site until the generator petitions the department under section 11562 and the department reclassifies the compost as provided in that section.

(c) Used for a use specified by the department under section 11553(3).

###

TFI ON BIOSTIMULANT LEGISLATION



The Fertilizer Institute (TFI) President and CEO Corey Rosenbusch today praised Congress for introducing the Plant Biostimulant Act. Introduced by Representatives Jimmy Panetta (D-CA-19) and Jim Baird (R-IN-4) and Senators Alex Padilla (D-CA) and Mike Braun (R-IN), the Plant Biostimulant Act will support the adoption of biostimulants by farmers and provide clarity to the emerging marketplace

“Biostimulants are a relatively new innovation in agriculture,” Rosenbusch explained. “There is great potential in these products, but as with any new technology there are hurdles.”

Among the biggest of the hurdles mentioned by TFI’s Rosenbusch are the lack of a clear and consistent definition for “biostimulant” and the fact that there is no uniform framework to regulate them as plant nutrition products.

“The lack of a regulatory framework inhibits research and puts the US behind Europe in product development,” Rosenbusch said. “Other countries are regulating

BIOSTIMULENTS (Cont'd.)



biostimulants through a fertilizer lens and finding success. We are hitting a roadblock right out of the gate and need those guardrails to foster innovation, research, testing, and ultimately a path to market for these products.”

Biostimulants have the potential to enhance the existing environmental stewardship of growers and compliment 4R fertilizer practices.

“When we talk nutrient management, we are talking about minimizing losses to the environment, water quality, air quality, soil health, and all the other things important to the conservation and environmental communities. Biostimulants support environmental stewardship by improving the efficiencies of fertilizer application and soil health while also increasing crop yields,” Rosenbusch concluded. “With a growing population, demand for agricultural production continues to increase. The fertilizer industry is innovating to meet those demands and legislation like the Plant Biostimulant Act will allow that innovation to reach growers.”

###

INDUSTRY NEWS

NGA CONSUMER SURVEY



On April 28, the National Gardening Association (NGA) published its 2023 *National Gardening Survey* as a comprehensive market research report that leaders in the lawn and garden industry can use to track the market and help make strategic marketing decisions. Conducted annually since 1973, the Survey provides in-depth and up-to-date marketing information on industry trends, household participation, consumer profiles, gardeners' attitudes, and retail sales.

This year's *National Gardening Survey* provides insights into American household lawn and garden activities and spending for the year 2022, as well as expectations for 2023.

- Inflation was a major factor for over half of respondents in planning to increase or decrease their level of participation in lawn and gardening activities. To combat inflation, the most commonly used household practices were using water wisely, buying plants on sale, and growing plants from seeds.
- Over one-third of households anticipate **increasing** their spending on lawn and gardening products in 2023 compared to 2022, particularly for food gardening. However, more households anticipate **decreasing** their spending on flower gardening and lawn care.
- Participation in lawn and gardening activities remained high in 2022, with a 5-year high of 80% of households taking part.
- By activity, participation increased across the board year over year, with indoor houseplant gardening jumping in participation more than any other activity. Younger respondents were more likely to be first-time participants in lawn and gardening activities and to try a new lawn or gardening activity in 2022.
- Spending on lawn and gardening activities continued to rise, with an average household spend of \$616 in 2022, an increase of \$74 from 2021 alone. Younger households, particularly the 18-34 age group and 35-44 age group, saw larger increases in spending than older households.
- About one-third of respondents predicted their spending on lawn and gardening activities to increase in 2023 compared to 2022, while nearly 2 in 5 households reported higher spending on lawn and gardening activities in 2022 compared to 2021.

ENVIVA ALABAMA PELLET PLANT



In March, Enviva Inc. got its construction permit for its Epes plant under construction in Sumter County, Alabama. The revised permit enables Enviva to build a state-of-the-art sustainable biomass production facility at a brownfield site in Epes, Alabama, bringing jobs, infrastructure, and economic development to the region, while deepening Sumter County's ties to the global economy.

In 2020, Enviva acquired over 300 acres of land on the coast of the Tombigbee River in Sumter County. The Enviva Epes site location resides on the former manufacturing site of a wood products company that had closed in recent years, resulting in job loss and depressed economic activity in the region.

Enviva started preliminary construction of its fully contracted Epes plant in July 2022. The plant is expected to have a nameplate **capacity of 1.1 million metric tons per year** and is expected to be in service in 2024 and fully ramped in 2025. Once operational, the Epes plant is expected to support approximately 350 direct and indirect jobs, including in adjacent industries such as logging and trucking.

###

BOND MS PELLET MILL



Also in March, the Mississippi Department of Environmental Quality's (MDEQ) permit board for the unanimous approval of the construction permit of Enviva's Bond, Mississippi facility. The proposed facility will be designed to **produce approximately 1.2 million oven dried tons (ODT) per year of wood pellets** and will be equipped with maximum achievable control technologies to curb emissions to the greatest extent possible. Emission control technologies to be deployed throughout the site include baghouses, bin vents, wet electrostatic precipitators (WESP), and thermal oxidative controls (RTOs/RCOs).

Enviva's Bond plant will strengthen the regional wood market for previously unmerchantable timber, creating additional incentives for local landowners to keep their forests as forests. Once operational, the facility in Bond, MS will support approximately 350 direct and indirect jobs, including adjacent industries such as logging and trucking. Enviva remains committed to working tirelessly – every day – to be a company that makes Mississippi proud.

To learn more about Enviva's forthcoming plant in Bond, Mississippi, visit: <https://enviva-bond.com/>

###

USDA OFFERS \$1B IN REAP FUNDING



The USDA announced it is making \$1.055 billion in grants available under the Rural Energy for American Program (REAP) to help agricultural producers and rural small businesses invest in renewable energy systems and make energy efficiency improvements. The REAP funding was allocated by the [Inflation Reduction Act](#), which was signed by President Biden in August 2022.

The IRA provided more than \$2 billion in funds for the REAP program through 2031. The USDA is offering \$1.055 billion through six quarterly competitions that will be held throughout the remainder of 2023 and 2024.

The REAP program was first created by the 2008 Farm Bill to award grants and loan guarantees to agricultural producers and rural small business to purchase and install renewable energy systems and make energy efficiency improvements to their operations. Eligible renewable energy systems include renewable biomass, including anaerobic digesters and biogas, wind, solar, small hydro-electric, ocean, geothermal, or hydrogen derived from any of those sources.

According to the USDA, numerous changes are being implemented to the program with inclusion of funds from the IRA. Changes include increasing the maximum grant size from \$250,000 to \$500,000 for energy efficiency products and from \$500,000 to \$1 million for renewable energy systems.

The agency is also raising the federal share to 50 percent for all energy efficiency projects, all zero-emission renewable energy projects, and all projects in designated en-



ergy communities and projects submitted by eligible tribal entities. All other projects are eligible to apply for grants of up to 25 percent of the total project costs.

In addition, the USDA is creating an Underutilized Technology Fund with an initial infusion of \$144.5 million for zero-emission renewable energy technologies which made up less than 20 percent of the project pool two years previous to the application year. For fiscal year 2023, solar, biomass, biogas and energy efficiency projects do not qualify for the Underutilized Technology Fund. All others are eligible.

The USDA is also taking action to ensure that small projects have a fair opportunity to complete for funding by setting aside at least 20 percent of the available funds until June 30 of each year for grant requests of \$20,000 or less, including the grant portion of a combined grant and loan guarantee request.

###

REPORTS OF DOUBLE-BROKERING INCREASE



Double-brokering — when a carrier accepts a load and then illegally re-brokers it to another carrier — is on the rise, costing brokers and carriers millions of dollars, and hurting legitimate businesses. Several red flags can alert companies to scams, and brokers said they’re scrutinizing everything from ELD records to IP addresses.

There are two primary types of double-brokering. In one, legitimate carriers accept loads but don’t have capacity, so they double-broker it even though they don’t have authority. While it is still illegal, there are often no claims unless there is an accident or a load is damaged. With fraudulent double-brokering, someone contracts with what they think is a legitimate motor carrier that then re-brokers the load. In the end, Brokers and shippers do not know who is actually in custody of the goods. If something goes wrong, there is often no cargo insurance. Even worse, there is a higher risk of theft.

In Q4 2022 and Q1 2023, [Truckstop](#), a load board provider, saw a 400% increase in double-brokering complaints according to Brent Hutto, its chief relationship officer. Today, about 30% of freight is moved in the spot market. The sheer volume going through the spot market is much higher than it has ever been and is only predicted to increase,” Hutto said, adding that double-brokering tends to increase in a down market. “I don’t know why that is other than, anecdotally, the marketplace is more desperate to get freight at a profitable level.”

What can you do?

- Know your broker and verify information
- Check addresses on bills of lading
- Ask your broker how they deal with double brokering
- Be suspicious of quick-pay options
- Beware of fuel advance demands
- Verify the insurance listed by the carrier for coverage and number of trucks

###

USDA: AD HELPS MANURE VALUE



The USDA’s Economic Research Service in March published a report that aims to help increase the value of animal manure for farmers. The document, in part, describes existing and emerging technologies that have the potential to increase the value of manure or reduce manure management costs. It also describes current manure production, handling, storage and use data gathered through the USDA’s Agricultural Resource Management Survey.

The study found that there is substantial opportunity for increasing the use of manure as fertilizer. According to the USDA’s analysis, manure is currently applied to only 8 percent of the 240.9 million acres planted to seven major U.S. field crops. The agency said liquid-solids separation technologies; the use of manure additives, including biochar; and composting can help increase the value of manure fertilizer.

The study also addresses non-fertilizer uses for manure, including anaerobic diges-

MANURE (Cont'd.)



tion and thermochemical processes. USDA researchers cite a 2018 study that examined the barriers or hurdles that U.S. dairy and swine producers face regarding the adoption of anaerobic digestion technology. That study found that greater adoption could be encouraged by lower construction costs, increased government grants and higher electricity prices.

In its report, the ARS also discusses the impact of renewable energy credits in driving renewable natural gas (RNG) growth, including those generated through the federal Renewable Fuel Standard program and regional fuel programs, such as California's Low Carbon Fuel Standard. RNG generated via the anaerobic digestion of manure is eligible to generate credits under such programs.

The report references the U.S. EPA's AgSTAR data, which indicates 322 on-farm anaerobic digestion systems were operational in the U.S. as of the end of 2021, including 50 systems that began operations during that year. Roughly 78 percent of U.S. on-farm anaerobic digestion facilities are located on dairies. Financial factors currently limit the use of anaerobic digestion systems on farms with less than 500 cows, according to the USDA. The systems are most common at concentrated animal feeding operations (CAFOs) with more than 1,000 animal units. In addition to financial limitations, other factors also impact the deployment of anaerobic digestion at smaller farm operations, such as lack of training and expertise, labor and maintenance issues. Community digesters represent a potential solution to these issues. Since 1994, community digesters have represented less than 9 percent of total U.S. anaerobic digestion facilities. They also shutdown at a higher rate than on-farm systems. Research suggests the higher rate of shutdown could result from a lack of consistent quality and cleanliness of off-farm feedstocks, such as food waste; poor revenue performance; and higher-than-expected operational, maintenance and repair costs.

Beyond anaerobic digestion, the report identifies pyrolysis, gasification and direct liquefaction as the three main thermochemical conversion processes that can be incorporated into current manure management practices and have the potential to convert feedstock into value-added products. All three processes produce a combination of volatile gases, bio-oils, and solids that can be used for heat and power generation, as transportation fuels, or as chemical feedstocks. The use of these technologies in manure management, however, face several challenges, including the diverse makeup of animal manure, high costs to meet emission limitations and high capital costs for equipment.

A full copy of the report is available on the USDA [website](#).

###

MEMBER NEWS

WELCOME
New Members



The Mulch & Soil Council is pleased to welcome the following new member companies:

PRODUCER MEMBERS:

Sam Spence
[Delta Mulch and Materials, LLC](#)
PO Box 10756
Jackson, TN 38308
sam@deltamulch.com
www.deltamulch.com

Enrique Camacho
[North Hills Recycling, Inc.](#)
11700 Blucher Ave
Granada Hills, CA 91344
enrique@nhrecyclinginc.com
www.nhrecyclinginc.com

NEW MEMBERS (Cont'd.)

AFFILIATE MEMBERS:

Rick Saar
[AKE SAFETY EQUIPMENT
\(KRONEBUSCH INDUSTRIES\)](#)

32 Woodlake St, SE
Rochester, MN 55904

rick@ake.com
www.ake.com/ki

Doug Hubble
[PRECISION LABORATORIES, LLC](#)
10016 55th St
Kenosha, WI 53114
dhubble@precisionlab.com
www.precisionlab.com

Certified Product News



CERTIFICATION REPORT

NEW CERTIFIED PRODUCTS

Miracle-Gro Lawn Products, Inc.

RECERTIFIED PRODUCTS

Florida Mulch Inc.
Florida Mulch Inc.
Florida Mulch Inc.
Florida Mulch Inc.
Garick Corporation
Garick Corporation
Garick Corporation
Garick Corporation
Gro-Well Brands, Inc.
Gro-Well Brands, Inc.
Gro-Well Brands, Inc.
Homer Industries, LLC
Maibec Inc.
Ohio Mulch Supply, Inc.
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
The Scotts Company
The Scotts Company
The Scotts Company

Kellogg Garden Products
Miracle-Gro Lawn Products, Inc.
Miracle-Gro Lawn Products, Inc.
Miracle-Gro Lawn Products, Inc.

Kellogg Garden Products

Black Gold Compost Company
Kellogg Garden Products
Miracle-Gro Lawn Products, Inc.
Swiss Farms Products, Inc.
Hyponex Corporation

DECERTIFIED/WITHDRAWN PRODUCTS:

The Scotts Company

PREMIUM POTTING SOIL

Miracle-Gro Raised Bed Soil1 0.09-0.08-0.09

MULCH

Florida Mulch Hardwood-Cypress Mulch Blend
Gold Color Enhanced Mulch
Natural Environmental Mulch
Red Color Enhanced Mulch
Brown Landscape Mulch
Decorative Cedar Mulch Blend
Vigoro Premium Black Mulch by Garick Corporation
Vigoro Premium Brown Mulch by Garick Corporation
Vigoro Premium Red Mulch by Garick Corporation
Vigoro Black Mulch by Gro-Well Brands
Vigoro Brown Mulch by Gro-Well Brands
Vigoro Red Mulch by Gro-Well Brands
ColorScape Brown Mulch
Yucatan Red Cedar Mulch
100% Pure Cypress 112E
Lumberjack Kiddie Mat
Timberline Pine Bark Mini Nuggets
California Select Classic Black Mulch
California Select Forest Brown Mulch
California Select Sierra Red Mulch

PREMIUM POTTING SOILS

Kellogg Palm, Cactus & Citrus
Miracle-Gro Expand 'N Gro Concentrated Planting Mix 0.45-0.15-0.30
Miracle-Gro Performance Organics Raised Bed Mix 0.11-0.02-0.02
Miracle-Gro Tropical Potting Mix 0.08-0.03-0.06

STANDARD POTTING SOILS

Gardeners Potting Soil

LANDSCAPE SOILS & AMENDMENTS

Black Velvet Mushroom Compost
All Natural Garden Soil for Flowers & Vegetables (Red)
Miracle-Gro Garden Soil, Trees & Shrubs 0.09-0.05-0.07
Vigoro Enriched Lawn Soil 0.04-0.04-0.04

PREMIUM POTTING SOILS

Hyponex by Scotts Moisture Potting Soil 0.07-0.01-0.03

CLASSIFIEDS

2005 Vermeer Tub Grinder TG7000

Manufacturer: Vermeer

Model: TG7000

Year: 2005

Location: Scotts Hill, TN

Price: \$220,000

Contact: equipment@garick.com



Info: Includes Two- 2.5" screens in machine. Extra screens: One- 2.5" round screen, One- 4" round screen and One-6" round screen. Runs. There has not been any major repairs to grinder in last year or so. We do have maintenance records on service. We have probably 250 new grinder teeth and some odd and end spare parts.

###

2016 Rebuilt IMCO Elevator 60' Hopper and Trough

Manufacturer: IMCO

Year: 2016

Location: Scotts Hill, TN

Price: \$30,000

Contact: equipment@garick.com



Info: Has new floor. Good working condition. Conveyor is 60' and hopper is 10'. New chains and floor on conveyor. The undercarriage is 20 years old, the conveyor with 10 yard hopper is 5 or 6 years old, Engine has 13006 hours on it. JD 2003 Model.

###

2020 Hamer Side Sealer

Manufacturer: Hamer

Year: 2020

Location: Cumming, GA

Price: \$9,000

Contact: equipment@garick.com

Info: s/n 982040108. Excellent working condition. Only used for 1,000 bags.



CLASSIFIEDS

Hamer Volumetric Feeder Model 300VF

Manufacturer: Hamer

Model: 300VF

Year: unknown

Location: Cumming, GA

Price: \$39,000

Contact: equipment@garick.com

Information: Hardly used.



###

2006 CBI 6800T Horizontal Grinder

Manufacturer: CBI

Model: 6800T

Year: 2006

Location: Reedsville, Pennsylvania

Price: \$375,000

Company Contact: Logan Metzler, 717-437-3347, logan.metzler@metzlerfp.com

Information: 12,750 Hours, CAT 3412 Engine, 1050 HP, Engine Rebuild



Mark Your Calendar

