

NEWS, NOTES & QUOTES



National Newsletter of the Mulch & Soil Council

December 2024

Seasons Greetings



As we approach the close of another year, the Board of Directors and Staff of the Mulch & Soil Council would like to extend our heartfelt thanks to each and every one of you. Without your membership, we would not be able to work with Federal and State agencies, provide industry education and training, respond to industry issues or develop industry guidelines to help protect and advance your business opportunities. We also want to give special recognition and thanks to the many dedicated volunteers who donate their time, expertise and financial support to drive our mission forward. As we celebrate this festive season, we wish you and your loved ones a Merry Christmas or Happy Hanukkah filled with joy, peace, and warmth. May the New Year bring you continued success, growth, and new opportunities.

THANK YOU for being an essential part of the Mulch & Soil Council. We look forward to another year of collaboration and progress with you.

HOLIDAY CLOSING

HOLIDAY CLOSING:

With predictions for millions of people traveling over the next few weeks, we encourage everyone to drive safely. The MSC office will be closed December 23 and reopen January 2. We look forward to serving you in the coming year.

COUNCIL NEWS

FEBRUARY COMMITTEE MEETINGS

The next meetings of MSC committees will be held in Las Vegas, NV, on Monday afternoon, February 3, 2025, starting at 1:00pm. The tentative schedule of events include:
1:00pm-3:00pm – MSC All-Natural Certification Sub-Committee
3:15pm-4:00pm – Bulk Measure Committee

Unless otherwise announced, all meetings of the Mulch & Soil Council are open to any member in good standing; however, a committee may call an executive session on advice of counsel to discuss sensitive issues when necessary. Participation of observers in discus-



sions is determined by the committee chair. If you plan to attend any or all committee meetings, we would appreciate your letting the office know in order for us to allow for sufficient seating space for everyone. Contact: Membership@mulchandsoilcouncil.org to reserve your seat.

###

FEBRUARY BOARD MEETING



The MSC Board of Directors will convene its next meeting on Tuesday, February 4, 2025, at 8:00a.m.-12:00p.m. in Las Vegas, NV. If any member has an issue they would like the Board to consider, please submit your topic to Executive Director Robert LaGasse at execdir@mulchandsoilcouncil.org no later than 5:00p.m. Central Time on January 14th.

All meetings of the MSC Board of Directors are open to any member in good standing; however, the Board may call an executive session on advice of counsel to discuss sensitive issues when necessary. Participation of observers in discussions is determined by the Board president. If you plan to attend, we would appreciate your letting the office know in order for us to allow enough seating space for everyone. To reserve your space, contact membership@mulchandsoilcouncil.org to register.

###

CONSUMER SURVEY REPORT

Consumer Trends in Garden Mulch Purchases A Comparison of 2022, 2023, & 2024

Without doubt, the Covid-19 pandemic years of 2020 & 2021 set records in product sales growth for horticultural mulches and soils. Consumer demand increased by 25%-40% nationally as the entire country was homebound and gardening became an essential activity in the greatest number of American households ever.

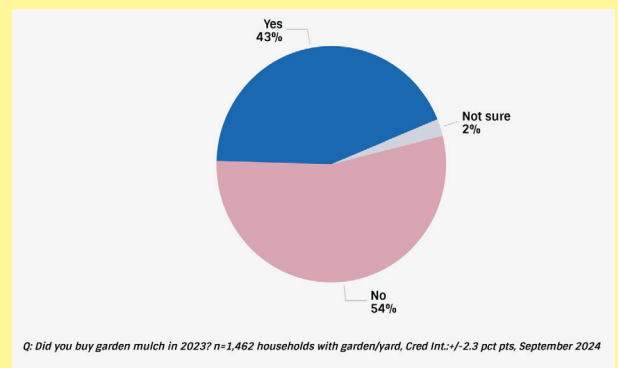
Since 2021, gardeners across the United States have continued to shape their home, garden and landscape lifestyles and the mulch market has experienced some notable shifts over the past few years. The Mulch & Soil Council's annual national consumer surveys for 2022, 2023, and 2024 provide valuable insights into household lawn & garden behavior and purchasing trends for mulch, focusing on both bagged and bulk purchases. By analyzing these trends, we can gauge the current state of the mulch market and make informed predictions for its future.

Mulch Purchase Trends (2022–2024)

How Many Households Buy Mulch?

According to Technometrica Market Intelligence, 73% of all U.S. households had a yard or garden in 2022-2024. In 2022, 49% of households with a yard or garden (gardeners) reported purchasing mulch, with the highest concentration of buyers in the Northeast and South. In 2023, this figure decreased to 43%, and it remained steady at 43% in 2024. Despite this slight decline, mulch remains an essential product for many gardeners, with over 40% of households continuing to make purchases.

In terms of specific regions, the Northeast and South have consistently led mulch purchases. In 2022, 59% of Northeastern gardeners bought mulch, while 50% of those in the South followed closely behind. These regions continued to dominate in 2023 and 2024, with 66% of Northeastern gardeners and 58% of Southerners purchasing mulch in





Seeing is believing.

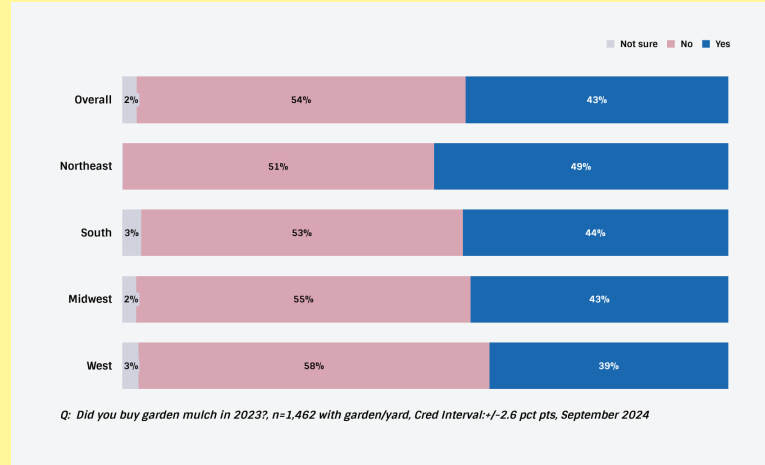
The magic of Mulch Magic® colorant is actually a lot of science. Only a microscope can see the little things, like particle dispersion and spectral analysis, that go into every tote. But anyone can see the difference in brilliance on each piece of mulch.

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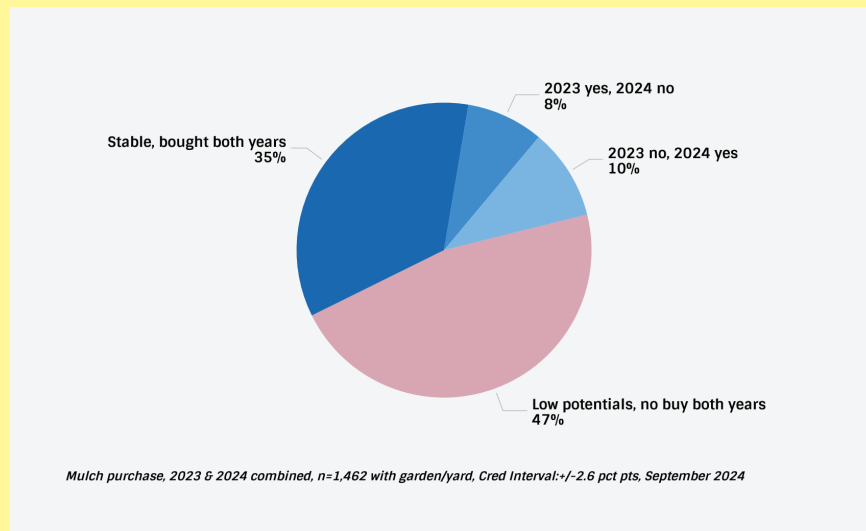
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2023. The trend shows regional preferences that influence both the volume and frequency of mulch purchases, with the Midwest and West lagging behind in both years.



Stable & Regular Buyers:

Stable buyers, defined as those who purchase mulch in consecutive years, account for a significant portion of the market. In 2022, 43% of gardeners bought mulch in both years, and this percentage decreased slightly in 2023 to 39% and 2024 to 35%. The decline in stable buyers may reflect a broader trend of gardeners purchasing less mulch or opting for other alternatives for discretionary use of time and money, i.e., entertainment and travel outside the home. The Northeast and South maintain the largest shares of stable buyers, while the West and Midwest show lower percentages of regular mulch buyers.



Bagged vs. Bulk Mulch Purchases

Preference for Bagged Mulch:

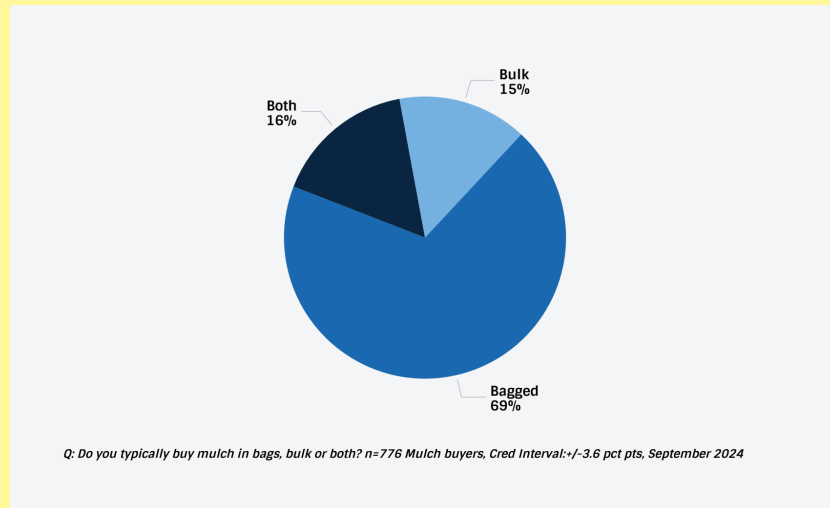
Bagged mulch continues to be the preferred method of purchase across the United States. In 2022, 63% of mulch buyers purchased bagged mulch, while 14% opted for bulk mulch. In 2023, the percentage of bagged mulch buyers increased to 69%, and it remained stable in 2024 at 69%. This preference for bagged mulch can be attributed to its convenience, ease of handling, and the ability to purchase in smaller quantities suitable for various garden sizes.

On the other hand, bulk mulch remains a popular option for larger gardens. In 2022, 14% of mulch purchasers bought bulk mulch, and this percentage remained

CONSUMER SURVEY REPORT

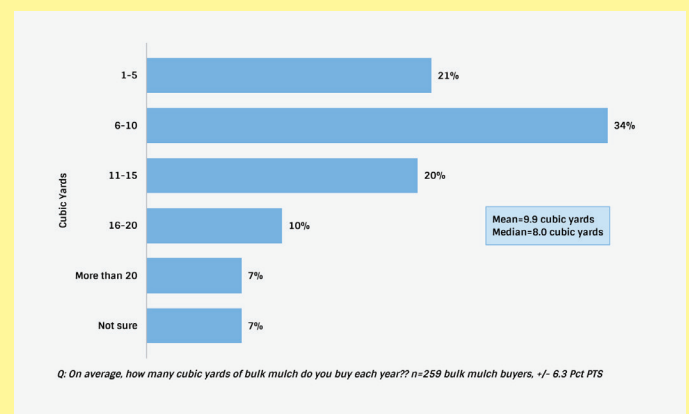
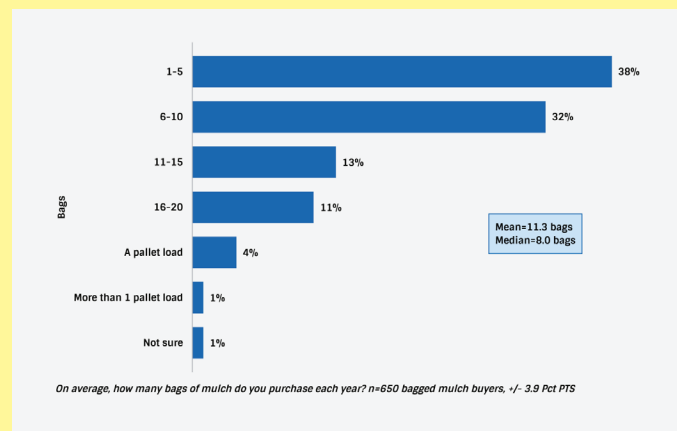
stable at 15% in 2023 and 2024. Although bulk mulch purchases are less common, they represent a significant portion of the market for larger-scale gardening projects.

In 2023 and 2024, another 16% of survey respondents bought both bagged and bulk products. The Council divided this group equally and allocated 8% to bagged volume increasing its total to 77% of households who buy mulch and 8% to bulk increasing its total to 23% of households who buy mulch.



Average Purchase Volumes:

For bagged mulch, the average number of bags purchased was 12 in 2022 and 2023, with a slight decline to 11 bags in 2024. The average bulk purchase was 11 cubic yards in 2022, with a slight decrease to 10.9 cubic yards in 2023 and 10 cubic yards in 2024. These small shifts indicate that consumers are purchasing slightly fewer bags and cubic yards of mulch over time.



Market Value Estimates for 2022, 2023, and 2024

To better understand the economic impact of these trends, we can estimate the market value of mulch based on the number of households purchasing mulch and the average price for bagged and bulk mulch. The historic price of mulch can vary greatly by region, season and retailers ranging from 5 bags for \$10 sales at home centers to \$15 for a single 2 cu ft bag at high-end garden centers. For the purposes of this consumer survey, the prices for mulch are assumed to be:

- Bagged mulch: \$4 per 2 cu ft bag
- Bulk mulch: \$28 per cu yd

2022:

- **Bagged Mulch:**

- Number of purchasers: 48.3 million households
- Average purchase: 12 bags
- Total bags purchased: 579.6 million bags
- Market value: 579.6 million bags × \$4 = **\$2.32 bn**

- **Bulk Mulch:**

- Number of bulk purchasers: 6.76 million households (14% of 48.3 million)
- Average purchase: 11 cubic yards
- Total cubic yards purchased: 74.36 million cubic yards
- Market value: 74.36 million cubic yards × \$28 = **\$2.08 bn**

- **Total Market Value for 2022:** \$2.32 bn (bagged) + \$2.08 bn (bulk) = **\$4.4bn**

2023:

- **Bagged Mulch:**

- Number of purchasers: 42.4 million households
- Average purchase: 12 bags
- Total bags purchased: 508.8 million bags
- Market value: 508.8 million bags × \$4 = **\$2.04 bn**

- **Bulk Mulch:**

- Number of bulk purchasers: 6.36 million households (15% of 42.4 million)
- Average purchase: 10.9 cubic yards
- Total cubic yards purchased: 69.4 million cubic yards
- Market value: 69.4 million cubic yards × \$28 = **\$1.94 bn**

- **Total Market Value for 2023:** \$2.04 bn (bagged) + \$1.94 bn (bulk) = **\$3.98 bn**

2024:

- **Bagged Mulch:**

- Number of purchasers: 44.4 million households
- Average purchase: 11 bags
- Total bags purchased: 488.4 million bags
- Market value: 488.4 million bags × \$4 = **\$1.95 bn**

- **Bulk Mulch:**

- Number of bulk purchasers: 6.66 million households (15% of 44.4 million)
- Average purchase: 10 cubic yards
- Total cubic yards purchased: 66.6 million cubic yards
- Market value: 66.6 million cubic yards × \$28 = **\$1.86 bn**

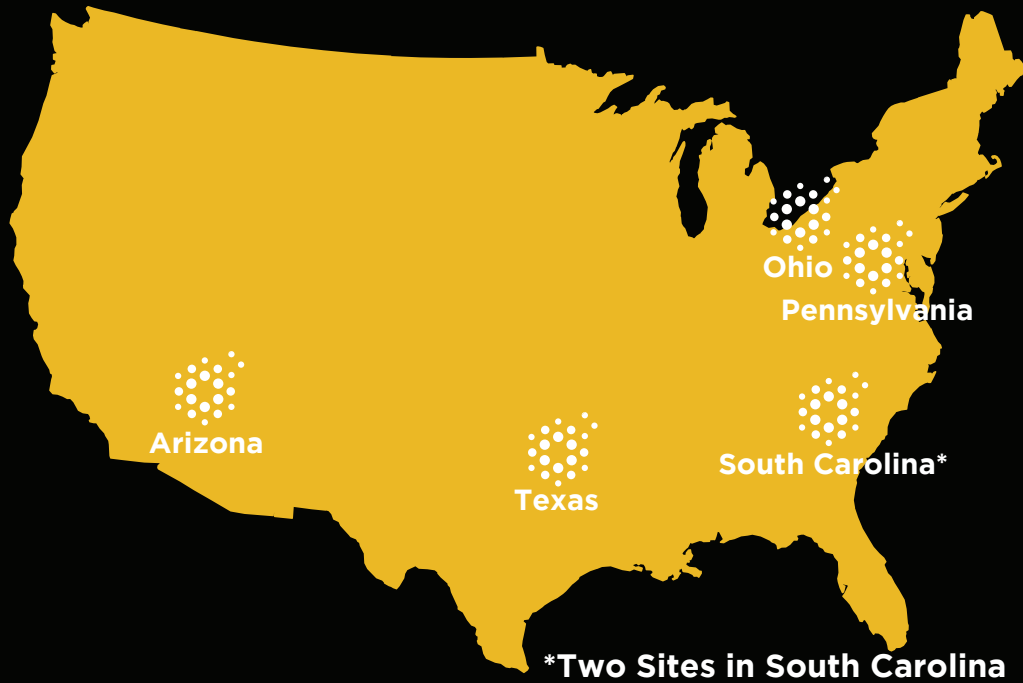
- **Total Market Value for 2024:** \$1.95 bn (bagged) + \$1.86 bn (bulk) = **\$3.81 bn**

Conclusion

A Stable or Slightly Declining Market: The consumer mulch market, while still substantial, has seen a stable or slight decline in recent years. From 2022 to 2024, the total market value for mulch dropped from **\$4.4 billion** to an estimated **\$3.81 billion**. This decrease is due to fewer consumers purchasing mulch and a reduction in the



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average quantity bought. Despite these shifts, **bagged mulch** remains the dominant product among consumer households, with a clear preference for it across all regions. **Bulk mulch** purchases have remained relatively steady, primarily driven by larger gardening projects.

These trends suggest that while the market is not experiencing a dramatic collapse, there is a gradual, post-pandemic decline in both consumer volume and purchasing behavior. The steady dominance of bagged mulch and regional preferences, particularly in the Northeast and South, will continue to shape the market in the years to come. Factors such as economic conditions, new housing starts, shifting gardening practices, and regional preferences for alternative landscaping materials could further influence these trends in the future.

Survey Methodology & Demographics

The data presented in this article comes from consumer surveys conducted by the **Mulch & Soil Council**, an industry group representing the mulch and soil sectors, with research provided by **TechnoMetrica Market Intelligence**, a leading national polling and research firm. These surveys aimed to understand Americans' mulch and soil buying behaviors and track changes over time.

- **Survey Dates:**

- **2022 & 2023:** Survey data for 2022 and 2023 was conducted between **March 31 and April 4, 2023**.

- **2024:** The most recent survey was conducted between **September 11 and September 13, 2024**.

- **Survey Methodology:**

- **Sample Size:** The surveys involved a sample of adults aged 18 and older.

- In 2023, the survey had **1,414 respondents**, with a margin of error of **±2.8 percentage points**. The 2024 survey involved a larger sample of **2,034**.

- **Data Collection:** Both surveys were conducted online using **TechnoMetrica's Panel Network**, a national panel of respondents. This ensures that the sample reflects a wide range of demographic characteristics and geographic distribution across the United States.

- **Demographics of Respondents:**

- **Age:** Respondents varied in age, with a distribution 2022 national census

- **Gender:** The surveys had a balanced gender distribution, with **52% of respondents identifying as female** and **48% as male**.

- **Income:** Income levels varied across the sample from **<\$20,000 to > \$100,000**

- **Geography:** The respondents were distributed across four major U.S. regions representative of the U.S. population for the 2022 national census.

- **Credibility & Accuracy:**

- The credibility interval for the 2023 survey is **±2.8 percentage points**, meaning that the results can vary by this margin in either direction. For the 2024 survey, the margin of error is **±2.2 percentage points**. These margins are typical for surveys of this size and ensure that the results are reasonably reliable.

- The sampling method and the survey's large sample size ensure that the findings accurately represent the U.S. population's views and behavior, though slight variations in results due to sampling error are possible.

**Mark Your
Calendar**

54th MSC ANNUAL MEETING
Orlando Lake Buena Vista Hilton @ Disney Springs
September 30 - October 2, 2025

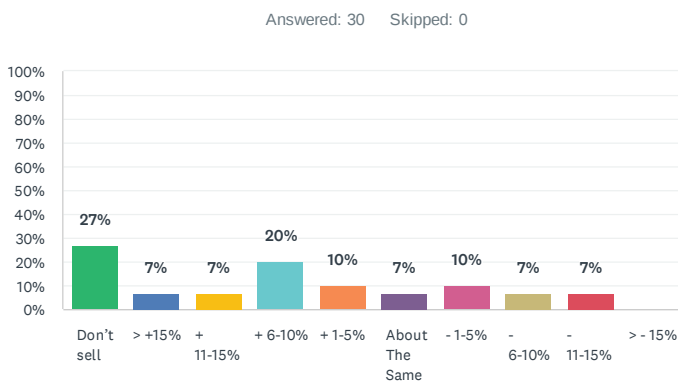
2024 SALES GROWTH SURVEY REPORT

Mulch & Soil Council 2024 Sales Growth Survey

In October, the Mulch & Soil Council surveyed its membership to determine the relative growth in high-season sales for January 1 - June 30, 2024 compared to the same period in 2023. This time period represents an estimated 60% of total industry sales each year. Industry sales are divided into 4 main categories which are 1) Bagged Mulch, 2) Bulk Mulch, 3) Bagged Soils and 4) Bulk Soils. Over 30 companies participated in the survey representing a 30% response rate. Here are the results of the Year-Over-Year Sales Growth Survey for 2024 survey compared to the prior year product sales for the same period.

BAGGED SOILS

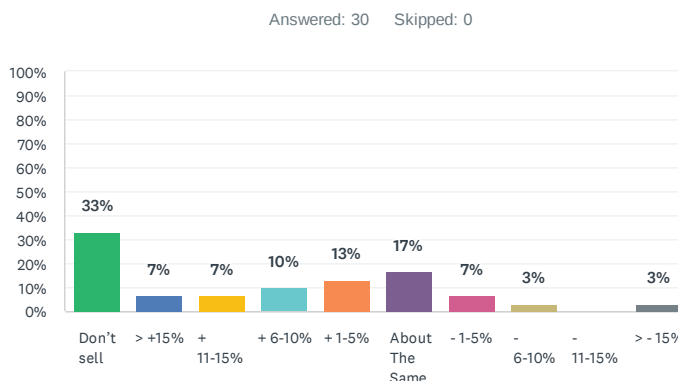
Q1 2024 vs 2023 Jan - Jun Change in Sales Revenues for Bagged Soils



Council members who reported seasonal bagged soils sales as “About The Same” in 2024 as in 2023 represented 7% compared to 11% of survey respondents in 2023. A total of 24% of respondents reported a decline in bagged soils sales for the period compared to 14% in 2023. At the same time 44% of respondents reported an increase in sales compared to 40% in 2023. The greatest increase came among the 20% who reported +6-10% sales growth over 2023, followed by 10% reporting +1 – 5% and 17% reporting a decline of 1 - 10% sales growth. A total of 27% of respondents reported not selling bagged soil products this year.

BULK SOILS

Q2 2024 vs 2023 Jan - Jun Change in Sales Revenues for Bulk Soils



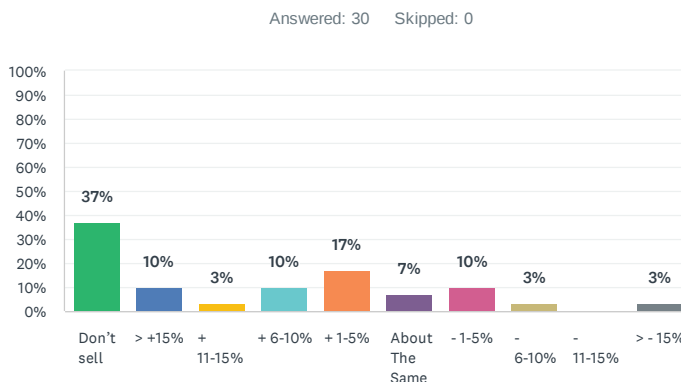
For bulk soil products, 1 in 3 respondents (33%) reported they do not sell bulk soil products. For those who do sell bulk soils, a total of 17% reported sales remained “About The Same” compared to 14% in 2023. Only 13% reported a decline in bulk sale compared to 23% reported a decline in 2023. The greatest decrease in bulk soils sales

2024 SALES GROWTH SURVEY REPORT

was 7% in the minus 1 – 5% category. Increased sales were reported by 43% of survey respondents with 23% signaling growth in the 1 – 10% categories.

BAGGED MULCH

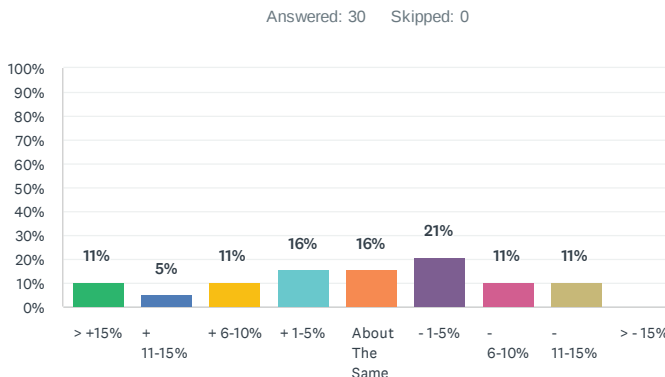
Q3 2024 vs 2023 Jan - Jun Change in Sales Revenues for Bagged Mulch



In the bagged mulch category, 37% reported they do not sell bagged mulch. Respondents reporting a decline in bagged mulch sales rose from 10% in 2023 to 16% in 2024 although the majority of that (10%) was in the minus 1 – 5% category. Another 7% were “About The Same” in 2024 compared to 11% in 2023 and 40% reported positive sales growth. The largest growth category was the +1 – 5% at 17% followed by the +6 – 10% category at 10%, and the >15% category at 10%.

BULK MULCH

Q4 2024 vs 2023 Jan - Jun Change in Sales Revenues for Bulk Mulch



A total of 16% of respondents reported mulch sales as “About The Same” in 2024 compared to 20% in 2023. In 2023, 28% of respondents reported negative sales growth for bulk mulch which rose significantly to 43% in 2024 with most of that (21%) in the minus 1-5% category followed by 11% in the minus 11-15% and the minus 6 – 10% category. On the growth side, 37% reported increases in sales for bulk mulch with the greatest growth reported in the +1 – 5% category at 16% while the 11% each went to the +6-10% and >15% category.

MARKET FORCES

Survey participants were asked to rank each of a series of market forces based on their perceived significance and impact on their product sales for 2023. The results were as follows in ranked order:

CONSUMER DEMAND: According to 31% of all survey participants, the #1 greatest impact on 2024 sales was consumer demand. In 2023, consumer demand declined slightly in the post Covid19 period as the market settled back to its historic sales volumes.

2024 SALES GROWTH SURVEY REPORT

OPERATIONAL ISSUES: A total of 32% of survey participants ranked operational issues (labor, freight, equipment issues, etc.) as the 2nd most significant impact on industry sales in 2024, up from 4th place in 2023.

WEATHER: Over 29% of participants ranked the weather as the 3rd most significant impact on sales for 2024, down from 2nd place in 2023.

SUPPLY CHAIN ISSUES: Raw materials shortages, parts availability and machine/equipment backlogs were some of the supply chain issues that almost 25% of survey participants ranked as the 4th most significant impact on 2024 industry sales growth. Supply chain was a close 2nd for 3rd place on 2024 and was ranked in 5th place in 2023.

GAIN OR LOSS OF CUSTOMERS: According to over 21% of participants, gains and losses in customer bases were the 5th most significant impact on product sales in 2024. This issue was 3rd in 2023 and ran a close 2nd to Supply chain issues for 4th place.

We appreciate the time and effort from all member companies that participated in our annual sales growth surveys and shared their information for the benefit of the industry. Anyone who has a question about the survey data should send their question to Shelli Williams at membership@mulchandsoilcouncil.org or call the Council office at 806.832.1810.

###

CERTIFICATION COMMITTEE REPORT

CERTIFIED PRODUCT	
<input type="checkbox"/>	Premium Potting Soil
<input type="checkbox"/>	Standard Potting Soil
<input type="checkbox"/>	Landscape Soil & Soil Amendment
<input type="checkbox"/>	Specialty Soils
<input checked="" type="checkbox"/>	Mulch

This product has been registered and tested for conformance to the standards of the Mulch & Soil Council for the indicated product category. The Mulch & Soil standards do not contain a product category for pesticides, and this certification mark does not apply to pesticide claims. For more information, refer to the MSC Web site at www.mulchandsoilcouncil.org.

The All-Natural Subcommittee of the Certification Committee of the Mulch & Soil Council has been working on developing a certification program for “all-natural horticultural mulches.” This initiative, driven by a mandate from the board, aims to establish clear guidelines that distinguish all-natural mulch from other types. The key elements of their work so far include:

1. Development of Certification Guidelines:

- The committee has proposed using existing voluntary product guidelines as a

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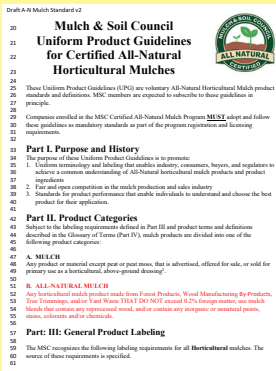
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- framework and introducing stricter criteria for all-natural mulch. This includes defining all-natural mulch as products made from forest products, wood byproducts, tree trimmings, and yard waste, with no more than 0.2% foreign matter, and excluding reprocessed wood or any inorganic chemicals.
- The subcommittee agreed on specific restrictions, such as prohibiting the use of reprocessed wood, inorganic chemicals, and artificial colorants, while allowing natural additives.
- 2. Standards and Certification Process:**
 - The certification process includes random product testing, vendor verification through visual inspections rather than affidavits, and audits for facilities handling yard waste. Clear guidelines on labeling and a proposed separate logo for all-natural products were discussed to avoid market confusion.
 - 3. Approval of Draft Standards:**
 - The draft standard for certified all-natural horticultural mulches was approved during the October 30 meeting. It was further discussed and revised in the December 4 meeting. The standards are currently under a 60-day open comment period, which began on November 26, 2024, and will end on January 31, 2025.

The committee encourages all interested parties to review the guidelines and submit comments before the January 31, 2025, deadline. A review copy of the guidelines is available for viewing on the MSC website at mulchandsoilcouncil.org/standards.php. Comments can be sent to MSC Executive Director Robert LaGasse via email or mail.

**PUBLIC NOTICE
FOR STANDARDS
REVIEW**



Public Notice & Open Comment Period

The Mulch & Soil Council has announced an open comment period for a proposed:

Product Guidelines for Certified All-Natural Horticultural Mulches

The purpose of the guidelines is to define terms and requirements for a voluntary, industry-supported, national certification program for all-natural horticultural mulch products. A copy of the draft guidelines is available for review on the Council's website at www.mulchandsoilcouncil.org. Follow the link under "Special Announcements".

The comment period is open to any interested parties until January 31, 2025. Send responses to MSC Executive Director Robert LaGasse at execdir@mulchandsoilcouncil.org or by USPS to MSC Certification, 7809 N FM 179, Shallowater, TX 79363-3637.

LEGISLATIVE & REGULATORY NEWS

BILL MANDATES COMPOST IN POTTING SOILS



In November, a Michigan legislator proposed HB 6065 as an amendment to the state's natural resources law that would require ALL bulk and packaged soils and potting soils sold in the state to contain a minimum of 5% Class 1 compost beginning January 1, 2027. The bill also requires labeling with 12-point bold face type showing the percent of Class 1 compost in the product and additional extensive compost labeling requirements under EGLE regulations. The bill was sent to the Michigan House Natural Resources Committee where some industry government affairs advisors expect it to die among another 134 bills already languishing in the committee.

While it is not unusual for states to require specific composition in products it purchases for state facilities and use or to offer tax or other incentives to encourage the use of certain materials, this bill takes the unprecedented approach to DEMAND to private industry how it must formulate its products whether the inclusion of Class 1 compost is appropriate or not. This is obviously a direct interference with private enterprise and the free-market economy and completely ignores the facts that:

- Not all Class 1 compost is made of equal quality,
- Not everyone has economic access to sufficient supplies of Class 1 compost,
- Mandating compost use will automatically increase the price of available supplies,
- Not all soil producers have permits to stockpile compost on sites,
- Labeling requirements will force costly state-specific bag labels,
- The rule could force a reduction in manufacturers limiting consumer choice,
- The rule interferes with interstate commerce for product produced outside MI, and
- There is no known legal justification for the mandate or the state's authority to require the non-voluntary use of Class 1 compost.

The MSC opposes MI HB 6065 and has drafted a letter of opposition. The letter is on hold as we prefer not to draw attention to a bill that may die on its own; however, the Council is ready to respond the moment any movement is detected on HB 6065. We request that members also be ready to respond quickly when we ask for your help, if necessary. *Until then, we will be watching.*

###

MDA SOIL AMENDMENT CHANGE WITHDRAWN



In a recent teleconference with industry representatives Rachel Jones, Director of Government Relations at MDA, said that the Agency was definitely not going after all soil amendments in their efforts to address food residue application and the resulting odor complaints. She didn't know why the State Chemist would change the regulations for all soil amendments, but she confirmed that...

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MDA SOIL AMENDMENT CHANGE WITHDRAWN



.... "There are not going to be any changes to the definition this year or anytime in the presumable future. Secretary Atticks and two of the Assistant Secretaries have since spoken with the State Chemist and informed him that his proposal is not in line with the goals of the agency."

She said that the food processing residuals bill was specifically developed to deal with DAF sludge application which was causing odor complaints in the state. MDE declined to regulate DAF, so it was passed onto the MDA, which had to develop regs to manage it. Biosolids products were never part of the regs, nor were any other soil amendments.

She also mentioned that there is scrutiny regarding PFAS in biosolids and other products, but they understand that low levels are in everything. They were aware that the US EPA would be developing related limits.

###

NJ AMENDS FIRE CODE



The state of New Jersey changed its fire code and now prohibits combustibile landscape materials (i.e., mulch) within 18 inches of any building with flammable materials or building extensions (decks, porches, balconies, etc). The code now reads as follows:

x. New Section 305.6, Landscape Materials, shall be inserted, as follows:

"305.6 Landscape Materials. The use of combustibile landscape materials, such as wood-based *mulch* products, is prohibited in any of the following conditions:

1. Within 18 inches of any building or structure;
2. Within 18 inches of a deck, porch, balcony, or any other portion of the building constructed of combustibile material; or
3. Within 18 inches of any designated smoking area defined in section 310.2.

Exceptions:

1. Live plant material such as shrubs, flowers , and trees provided that they are not [located within 18 inches of the building or structure or] beneath a combustibile overhang with less than 6 feet of clearance.
2. Non-combustibile building or structure exteriors that have no combustibile components or trim with less than 3 feet clearance from grade.
3. Fire resistant *mulch*."

xi. New Section 305.7, Existing materials, shall be inserted, as follows:

"305.7 Existing materials. This provision shall become operative *[12 months after the effective date of these rules]* *April 15, 2025*, all occupancies subject to this code shall remove all combustibile landscape materials that are located within 18 inches of the foundation of any building or structure or in the area of any designated smoking area. This product may be replaced with non-combustibile materials such as stone or sand."

###

COURT SUSPENDS BOI REPORTING



On December 3, 2024, the US District Court for the Eastern District of Texas (the Court) found that the Corporate Transparency Act (CTA) is *likely* unconstitutional and issued a nationwide preliminary injunction prohibiting enforcement of the law until further notice. Moreover, the Court enjoined FinCEN's regulation promulgated at 31 C.F.R. § 1010.380, and ordered that the compliance deadline is stayed under the Administrative Procedures Act.

For as long as the injunction is in effect, there is no obligation to report beneficial ownership information (BOI) to FinCEN under the CTA, **including BOI reports that would otherwise be due by January 1, 2025**. As of the date of this alert, neither FinCEN nor the US Department of Justice (DOJ) have announced whether they intend to appeal the order. We note that this latest ruling follows the DOJ's pending appeal with

FINGEN SUSPENDED

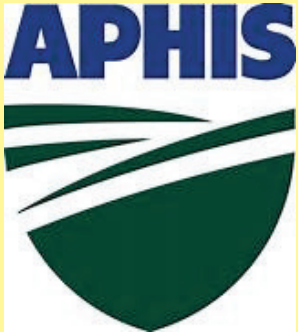
the 11th Circuit Court of Appeals regarding the constitutionality of the CTA after the District Court for the Northern District of Alabama ruled the CTA unconstitutional earlier this year

The injunction issued on December 3, 2024 is a preliminary measure, and further legal proceedings may alter this order or impact the enforcement of the CTA. We are closely monitoring the situation and will provide further updates as new information becomes available



###

COCONUT BEETLE IN HAWAII



The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (USDA APHIS) Plant Protection and Quarantine (PPQ) has completed a Draft Environmental Assessment (EA) for Coconut Rhinoceros Beetle Response Program in Hawaii.

The EA analyzes the potential environmental effects of a cooperative program to prevent or minimize the further spread and establishment of coconut rhinoceros beetle (*Oryctes rhinoceros*), an invasive species that impacts a variety of palms and crop plants.

Anyone wishing to view or comment on the EA can at www.regulations.gov by typing the [Draft Environmental Assessment for Coconut Rhinoceros Beetle Response Program in Hawaii](#) or Docket # [APHIS-2024-0061](#) in the search bar, or you may obtain a copy from and send comments to USDA-APHIS-PPQ, 300 Ala Moana Blvd., Room 8-120, Box 50002, Honolulu, HI 96850.

The comment period ends **January 10, 2025**. Any comments received will be considered and may result in changes to the proposed project. For general questions concerning the coconut rhinoceros beetle Draft EA please email william.d.wesela@usda.gov.

###

NEW RULES FOR PRECLEARED MARITIME & AIR SHIPMENTS



The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) has added air and maritime shipments of precleared commodities from Republic of Korea and maritime shipments from Chile to its APHIS Core Message Set for Certificates of Foreign Inspection and/or Treatment (PPQ Form 203, LPCO type code A07). This update is a follow-up to APHIS' [May 6, 2024, announcement](#), which announced this new functionality for air and maritime shipments of precleared commodities from Argentina and air shipments of precleared commodities from Chile and Thailand.

In addition, APHIS has begun issuing port reports and vessel reports to more efficiently process large volumes of precleared maritime shipments from Argentina and Chile. Recipients of precleared goods associated with vessel/port report shipments will receive the following message:

For brokers: ACE DIS has received this vessel report (port report). To allow CBP to view it as part of your entry and expedite clearance of your cargo, use LPCO type code A07 and provide the certificate number on the vessel or port report, using all letters, dashes, underscores, or any other characters given. If you have any questions, please contact the ACE ITDS Help Desk at 1-833-481-2102 or ace.itds@usda.gov.

Until fully implemented for all countries, APHIS will continue to accept signed, paper or electronic PPQ Form 203s and will allow importers of plant commodities to upload copies of signed PPQ Form 203s to the U.S. Customs and Border Protection's (CBP's) Automated Commercial Environment (ACE) using the Document Image System (DIS).

Please contact the help desk number or e-mail listed in the message if you have any questions about how you should report the information.

###

INDUSTRY NEWS

NAISMA & MSC JOIN FORCES



In a recent Zoom meeting, representatives from the North American Invasive Species Management Association (NAISMA) and the Mulch & Soil Council (MSC) discussed progress and challenges in advancing the NAISMA Certified Weed Free Products Program. This initiative aims to ensure materials like mulch, gravel, compost, forage and soil meet invasive species standards, addressing a long-term issue for land management.



NAISMA's Executive Director, Christi Millhouse, provided updates on the program's growth, including the development of new toolkits, branding assets, and a forthcoming website directory. Supported by infrastructure grants, the program has already expanded to 35 states, including recent additions North Dakota and Oregon. However, hurdles remain, such as legal and procedural requirements for states to sign Memorandums of Understanding (MOUs). These hurdles, coupled with varying state-specific needs, present significant challenges.

Cost emerged as a key concern, particularly for private businesses. With inspection fees varying between states, businesses face complexities when certifying products across multiple jurisdictions. MSC Executive Director Bob LaGasse emphasized the difficulty in certifying mulch as entirely weed-free due to environmental factors like wind, rain and wildlife. Both organizations agreed to pivot their language towards certifying products as compliant with invasive species standards rather than "weed-free."

The discussion also touched on market potential, highlighting greater opportunities in bulk sales rather than consumer retail, where demand and product price is limited. Larger contracts for certified premium products could make certification efforts more feasible.

The meeting concluded with a commitment to ongoing collaboration and outreach. Despite challenges, both organizations are optimistic about the program's national expansion and its potential to specifically benefit stakeholders in public and private land management.

###

TRADE TARIFFS & THE PEAT MARKET



President-elect Donald Trump's proposal to impose a 25% tariff on all Canadian products, including critical imports such as Canadian sphagnum peat moss, has stirred significant concern. The threat of such tariffs stems from growing frustration with illegal drug trafficking and border security issues between the United States and Canada. While the Trump administration remains committed to securing the U.S. border, the implications of these tariffs could reach far beyond the political sphere, affecting key industries like agriculture and horticulture.

Asha Hingorani, President of the Canadian Sphagnum Peat Moss Association, expressed the deep concerns of her industry, emphasizing the vital role Canadian peat plays in U.S. agriculture. "The Canadian Horticultural Peat Industry is concerned by the impact that potential tariff implementation could have on its US grower and retail customers. The industry is thus working closely with federal and provincial governments to ensure customers are least affected and that they maintain a continuous supply critical to them. Canadian Peat is a unique natural resource serving as a significant contributor to America's food security and well-being, and is the substrate of choice used to grow and produce fruits and vegetables, mushrooms, soil amendments, cannabis, flowers, and reforestation seedlings," Hingorani stated.

This tariff proposal, while focused on addressing border security and limiting illegal drug trade, could have a ripple effect on U.S. businesses that depend on Canadian imports. Sphagnum peat moss, used extensively in horticulture and agriculture, is not

PEAT TARIFF 25% ?

just an agricultural product but a critical component in the U.S. food security system. Should the tariffs be enacted, U.S. growers and consumers could face higher prices and potential supply chain disruptions.

Politically, the likelihood of these tariffs being enacted will depend largely on the negotiations and actions taken by both U.S. and Canadian officials. While the Trump administration is focused on securing the southern border and addressing illegal immigration, Canada has already started taking steps to address the issue. Canada's Prime Minister Justin Trudeau and federal officials have expressed a commitment to improving border security, and the government is considering measures to avoid economic harm from the potential tariffs.

The Trump administration's stance on tariffs is clear, but the reality of their implementation could be complicated by the deep economic ties between the two countries. Canada and the U.S. have historically shared a strong trade relationship, and Canadian exports to the U.S. are essential to several key industries. However, the need to combat illegal drug trade and enforce stricter border controls may take precedence in the Trump administration's agenda.

As for the likelihood of Canada taking the necessary steps to avoid the implementation of these tariffs, it seems that diplomatic and economic pressure will play a large role. Canada is already in discussions with the U.S. to improve security at the border, and efforts are underway to protect key industries from the adverse effects of potential tariffs. The resolution will likely depend on the willingness of both countries to reach a mutually beneficial agreement. Canada's actions will be critical in determining whether the Trump administration ultimately moves forward with the tariff threat or if a compromise is reached.

The Mulch & Soil Council is monitoring the situation closely and will advise members of any changes as they occur.

###

HR Q&A

Q: What should we include in a job description?

A: Accurate and carefully crafted job descriptions are essential for attracting and keeping new employees, setting clear performance expectations, and serving as a critical line of defense in many types of employment litigation.

Effective job descriptions include:

- **Job title:** Create a title that accurately reflects the position. Avoid cutesy terms like "ninja" or "guru." If applicable, use the title to indicate where the position fits in a career ladder (e.g., a *senior* manager).
- **Exemption status:** Indicate whether the role is exempt from minimum wage and/or overtime.
- **Position summary:** Provide a brief, high-level overview of the position's purpose and duties. It should be clear and concise.
- **Essential functions:** List the 3–5 most critical responsibilities and tasks, starting with the most important task or the one to which the employee will devote the largest share of their time.
- **Qualifications:** Identify the knowledge, skills, abilities, and other characteristics that an individual must have to perform the job duties.
- **Supervision:** Indicate how this position is supervised or to whom the person in this position will report.
- **Work environment:** Give an idea of the nature of the location (e.g., remote or corporate) and working conditions. Be sure to include any physical requirements of the job, noise levels, and/or temperature.

This Q&A does not constitute legal advice and does not address state or local law.

###

Q. Should we include a pay range in our job postings even though we aren't required to by law?

A. We generally recommend including pay ranges in job postings even if it isn't legally required. First, since the practice has become more common, more job seekers expect it, and many **won't apply** for jobs that don't include a pay range. By not including this information, you risk missing out on top talent. Second, sharing pay information upfront has the potential to save you time and money. You're much less likely to have a candidate you've already spent a lot of time with reject your offer because the pay didn't meet their expectations. You're also less likely to get negotiated into a pay range that you can't really afford or that would create pay equity issues in the organization.

That said, sharing pay information in job postings will put a spotlight on your overall pay practices and any pay disparities. Your current employees could start asking questions about their own pay, especially if their pay falls below the range for comparable work. You and your managers should prepare to have these conversations and make necessary adjustments. Ask your HR professional to learn more about the states and localities that require pay ranges to be posted.

This Q&A does not constitute legal advice and does not address state or local law.

###

MEMBER NEWS

NEW MOBILE MULCH COLORING SYSTEM

Colorbiotics, a Sika company, introduced the new Sahara XP Mobile. This mulch coloring system draws from design features of the Sahara XP — literally taking it farther with its unique mobility.

"Our Sahara line has helped producers eliminate water waste and maximize color efficiency at the job site, but sometimes there's more than one job site," said Kent Rotert, vice president of Colorbiotics. "The XP Mobile gives them the ability to move with eight wheels and a generator."

The machine is road-ready with a purpose-built trailer that meets oversize and wide load regulations. In addition to the on-board generator, the XP Mobile comes with three-phase plugs to make it easy to switch between shore and generator power.

"We're redefining the term 'remote work' with this machine," says Dave Roller, colorant systems manager at Colorbiotics. "All of a sudden, you don't need to worry about power supply or hauling truckloads of mulch to your permanent location. The XP Mobile gives you flexibility with all the performance of the Sahara XP."

The XP Mobile does not require a pilot car or special license plate for the road. With the touch of a couple of buttons, it unfolds for work. Once on location, the on-board generator provides 18 hours of runtime.



Sahara XP Mobile Specifications

Technical Data

- Output: Up to 450 cubic yards per hour.
- Water: Up to 120 gallons per minute, 60 GPM minimum.
- Generator Power: 242 kilowatt hours.
- Shore Power: 200 amps.
- Motors: 100 horsepower (mixer); 10 hp (discharge conveyer); 7.5 hp (hopper feeder); 5 hp (conditioner); 1 hp (colorant pump); 10 hp (hydraulic pump).

Measurements (Unfolded)

- Height: 13 feet, 6 inches (load side); 15 feet, 4 inches (non-load side).
- Width: 10 feet, 7 inches.
- Length: 60 feet (front to end of conveyor).
- Infeed: 13 feet, 6 inches.
- Outfeed: 14 feet, 2 inches.

Measurements (Folded)

- Height: 13 feet, 6 inches
- Width: 8 feet, 6 inches.
- Length: 51 feet, 4 inches.

###

CERTIFICATION REPORT

As of December 2024

NEW CERTIFIED PRODUCTS

MULCH

Mountain West LLC	Mountain Magic Cedar Mulch
Mountain West LLC	Western Bark Nuggets (Mountain Magic)
Permagreen Organics Co.	Deco Bark Medium Nuggets
Permagreen Organics Co.	Shredded Red Cedar

RECERTIFIED PRODUCTS

MULCH

Amerigrow Recycling	Premium Gold Mulch
Amerigrow Recycling	Premium Red Mulch
Austin Wood Recycling, Ltd.	Texas Native Cafe Brown Mulch
Garick Corporation	Brown Landscape Mulch
Garick Corporation	Vigoro Premium Black Mulch by Garick Corporation
Garick Corporation	Vigoro Premium Brown Mulch by Garick Corporation
Garick Corporation	Vigoro Premium Red Mulch by Garick Corporation
Homer Industries, LLC	Vigoro Premium Brown Mulch by Homer Industries
Homer Industries, LLC	Vigoro Premium Red Mulch by Homer Industries
Homer Industries, LLC	Vigoro Premium Black Mulch by Homer Industries
Hyponex Corporation	COLORSTAY by Scotts Black Mulch
Hyponex Corporation	COLORSTAY by Scotts Brown Mulch
Hyponex Corporation	COLORSTAY by Scotts Red Mulch
Landscapers Pride	Hardwood Mulch
Permagreen Organics Co.	Vigoro Premium Brown Mulch by Permagreen Organics
Permagreen Organics Co.	Vigoro Premium Red Mulch by Permagreen Organics
Permagreen Organics Co.	Vigoro Premium Black Mulch by Permagreen Organics
Phillips Bark Processing Co.	Gardenese Pine Bark Mulch
Phillips Bark Processing Co.	Gardenese Pine Bark Nuggets
Phillips Bark Processing Co.	Vigoro Premium Black Mulch by Phillips Bark Processing Co.
Phillips Bark Processing Co.	Vigoro Premium Brown Mulch by Phillips Bark Processing Co.
Phillips Bark Processing Co.	Vigoro Premium Red Mulch by Phillips Bark Processing Co.
The Mulch and Soil Company	Vigoro Premium Black Mulch by The Mulch and Soil Company
The Mulch and Soil Company	Vigoro Premium Brown Mulch by The Mulch and Soil Company
The Mulch and Soil Company	Vigoro Premium Red Mulch by The Mulch and Soil Company

RECERTIFIED PRODUCTS

MULCH

The Scotts Company	Nature Scapes Color Enhanced Mulch - Classic Black
The Scotts Company	Nature Scapes Color Enhanced Mulch - Deep Forest Brown
The Scotts Company	Nature Scapes Color Enhanced Mulch - Sierra Red
The Scotts Company	Scotts Nature Scapes Color Enhanced Bark Nuggets - Deep Forest Brown
Wallace Farm, Inc.	Vigoro Premium Wood Mulch Black by Wallace Farm
Wallace Farm, Inc.	Vigoro Premium Wood Mulch Brown by Wallace Farm
Wallace Farm, Inc.	Vigoro Premium Wood Mulch Red by Wallace Farm

PREMIUM POTTING SOIL

Kellogg Garden Products	Kellogg Shade Mix
Miracle-Gro Lawn Products	Nature's Care Organic Raised Bed Soil 0.09-0.08-0.09
Miracle-Gro Lawn Products	Nature's Care Organic Raised Bed Soil w/Water Conserve 0.09-0.08-0.09
Rod McLellan Company	Supersoil Potting Soil 0.18-0.03-0.03
Sun Gro Horticulture	Black Gold All Purpose Potting Mix
Sun Gro Horticulture	Black Gold Natural & Organic Potting Mix Plus Fertilizer (0.09-0.03-0.03)
Sun Gro Horticulture	Sunshine Professional Growing Mix
Sun Gro Horticulture	Sunshine Natural & Organic Planting Mix
Sun Gro Horticulture	Black Gold Moisture Supreme Container Mix
Sun Gro Horticulture	Black Gold Natural & Organic Cocoblend Potting Mix
Sun Gro Horticulture	Grower's Gold Potting Mix
Sun Gro Horticulture	Sunshine Black Bear Indoor & Outdoor Potting Mix
Sun Gro Horticulture	Grower's Gold Pacific Blend Natural & Organic
Sun Gro Horticulture	Sunshine All Purpose Potting Mix

LANDSCAPE SOILS & AMENDMENTS

Maryland Environmental Service	Leafgro®
Miracle-Gro Lawn Products	Miracle-Gro Garden Soil All Purpose 0.09-0.05-0.07
Miracle-Gro Lawn Products	Miracle-Gro Garden Soil Flowers 0.09-0.05-0.07
Miracle-Gro Lawn Products	Miracle-Gro Garden Soil, Cactus, Palm & Citrus 0.10-0.09-0.07 (w/0.07 iron)
Rod McLellan Company	Supersoil Enriched Planting Compost 0.09-0.03-0.04
Scotts Miracle-Gro Products	Miracle-Gro Garden Soil Roses 0.10-0.09-0.07
Scotts Miracle-Gro Products	Miracle-Gro Garden Soil, Trees & Shrubs 0.09-0.05-0.07
Sun Gro Horticulture	Black Gold Natural & Organic Flower & Vegetable Soil
Sun Gro Horticulture	Black Gold Natural & Organic Garden Compost Blend
Sun Gro Horticulture	Black Gold Natural & Organic Ultra Outdoor Planting Soil
Sun Gro Horticulture	Black Gold Natural & Organic Garden Soil

SPECIALTY SOIL

Sun Gro Horticulture	Black Gold Natural & Organic Seedling Mix
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WITHDRAWN PRODUCTS

MULCH

Hyponex Corporation	Florida Select Natural Eucalyptus Mulch
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PREMIUM POTTING SOIL

Sun Gro Horticulture	Black Gold Waterhold Cocoblend Potting Soil
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CLASSIFIEDS

2020 Hamer Side Sealer

Manufacturer: Hamer

Year: 2020

Location: Cumming, GA

Price: \$9,000

Contact: equipment@garick.com

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



Hamer Volumetric Feeder Model 300VF

Manufacturer: Hamer

Model: 300VF

Year: unknown

Location: Cumming, GA

Price: \$39,000

Contact: equipment@garick.com

Other Information: Hardly used.



Amadas Semi-Automated Palletizer

Year: 2015 or 2016 (2 available)

Model: PL02

Price: \$10k or best offer

Location: Galivants Ferry, SC

Contact: Hackney Parker @ 305-393-4950 or hackney@seasidemulch.com

Other Information: Bag flattener and conveyors and optional 10 ton press



CLASSIFIEDS

Lantech Q300 wrapper

Model: Q300

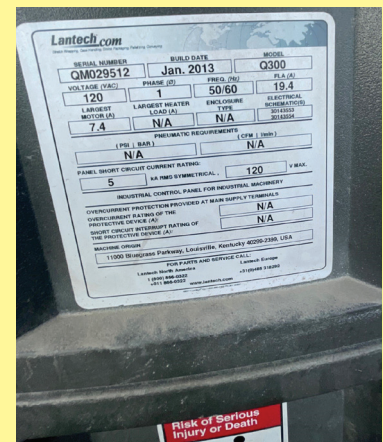
Serial #: QM029512

Price: \$3,500

Location: Galivants Ferry, SC

Contact: Hackney Parker @ 305-393-4950 or
hackney@seasidemulch.com

Other Information: 120 V



Exciting News: We're Going to Disney!

For the first time in 10 years, our Annual Meeting returns to Orlando! Join us at the Hilton Lake Buena Vista at Disney Springs for an unforgettable experience blending business, family, and Disney magic. Our special room rate is \$179 +tax/night plus a \$30/night resort fee.

Resort Perks Include: Free high-speed Wi-Fi • Complimentary shuttle to Disney World theme parks • Daily DVD rentals • Two 16 oz. Starbucks coffees and water bottles daily • \$5 discount on attraction tickets

This family-friendly event offers easy access to Disney Springs and nearby Disney parks, making it a perfect destination for all. Bring your loved ones to enjoy thrilling rides, world-class shows, and dining, while networking and attending sessions designed to connect and inspire.

With Disney Springs' shopping and dining, character meet-and-greets, and unforgettable entertainment, there's something for everyone. Don't miss this opportunity to mix professional growth with family fun.

Mark Your Calendar: Registration opens late Spring 2025.

SEE YOU IN ORLANDO!

*Happy
Holidays
from the
Mulch & Soil Council*

