

**Statement of Robert Woolley  
Before the  
Senate Committee on Agriculture, Nutrition, and Forestry  
Hearing on  
Opportunities for Specialty Crops and Organics in the Farm Bill  
July 28, 2011**

Chairwoman Stabenow, Ranking Member Roberts, distinguished Members of the Committee, and guests, thank you for the opportunity to testify today on how the Farm Bill can help to ensure the success of the specialty crop industry. I am Robert Woolley, owner of Dave Wilson Nursery, a California nursery producer of approximately five million deciduous fruit, nut and shade trees annually. Two-thirds of the planting stock I produce goes to commercial orchardists, and the remaining third is sold at wholesale for the home garden trade.

My testimony is offered as well on behalf of the American Nursery & Landscape Association (ANLA) and the California Association of Nurseries and Garden Centers (CANGC). ANLA, which represents all facets of the nursery and landscape industry, is also an active participant in the Specialty Crop Farm Bill Alliance. CANGC, celebrating its 100<sup>th</sup> year, is the only organization in California that represents all segments of the nursery industry in my state. Together we are appreciative of the fact that meaningful specialty crop provisions were a feature of the Farm Bill passed by Congress in 2008.

Today I would like to focus on two sections of the Farm Bill that are of particular importance to specialty crop producers. Title X, Sec. 10201 provided funding for critical plant pest and disease initiatives. Sec. 10202 funded the National Clean Plant Network, or NCPN. Together, these sections of the Farm Bill acknowledge that devastating foreign plant pests and pathogens present enormous threats to U.S. specialty crop producers, and they are funding vital programs to address the threats. I will then touch on a few impediments to the orderly and efficient implementation of these critically important initiatives in the hope that they can be addressed going forward.

**Section 10201 – Plant Pest and Disease Programs**

Sec. 10201 has funded a range of programs and initiatives in partnership with collaborators including industry and the states. Funded programs have been suggested, organized, prioritized, and implemented under six broad goal areas:

- Enhance Analysis and Survey
- Domestic Inspection
- Enhance Pest Identification and Technology
- Safeguard Nursery Production
- Outreach and Education
- Enhance Mitigation

Important work has been accomplished under each of these goal areas, and is summarized in USDA-APHIS' periodic reports to Congress. Goal 4, Safeguard Nursery Production, recognizes that nursery stock can be a vector for moving serious pest threats around the

country and globally. Several funded projects are looking into innovative systems for managing pest threats, modernizing the nursery certification system, and avoiding the spread of disease threats like *Phytophthora ramorum* (the cause of so-called Sudden Oak Death) on nursery stock. Another initiative established the National Ornamentals Research Site at Dominican University of California, where work on disease prevention, detection and mitigation strategies for quarantine pest threats is now underway in a “real-world” setting.

Goal 6, Enhance Mitigation, is intended to provide another tool for early and rapid response to a new pest introduction, or to implement dynamic strategies as needed. Perhaps the best recent example of a program success involves Plum Pox Virus (PPV), which I will go into later. Other important work is targeting recent detections such as the European grapevine moth.

Before leaving Sec. 10201, I would like to note that USDA-APHIS has done a generally good job of managing a broad-based and inclusive process for soliciting and receiving funding suggestions from cooperators including the states, industry, and other federal agencies.

### **Section 10202-National Clean Plant Network**

I am well positioned to speak to the success of this program, as I have maintained an active leadership role in various clean plant and nursery industry committees, most recently as a member of the National Clean Plant Network Tier 2 governance committee for fruit trees.

*What is a “clean plant?”* A “clean plant” is free of systemic infection by especially injurious or quarantine graft-transmissible disease-causing pathogens. (Graft-transmissible means spread through the most common methods for producing new plants that are essentially copies of the desired variety.) Enabling our nursery industry to produce clean plants is of critical importance because a number of serious diseases--virus and other graft-transmissible agents--can be moved into the United States or to new locations by nursery stock. Once a disease that systemically infects perennial plants has become established in a region, it is usually impossible to eradicate.

Infected plants have deleterious impacts on the fruit and nut tree and other specialty crop industries, including:

- Low yields and unpredictable cropping times;
- Poor fruit quality affecting flavor and marketability;
- Premature plant decline and death requiring frequent and expensive replacement and affecting both home owner and grower confidence in our industry and its products;
- Frequent and expensive treatments in the nursery and in fruit and berry farms and orchards to mitigate plant problems;
- Decreased ability to move both plants and resulting crops in domestic and international trade.

Virtually all fruit and nut trees are propagated asexually, via budding or grafting. This allows graft-transmissible disease to spread in nursery stock if plants are grown from infected mother trees. Diseased mother trees often show no signs of infection, even when infected with serious quarantine disease, and once infected with a virus or virus-like agent, the disease can't be removed from an orchard tree. So, to prevent the spread of disease, nurseries rely on various testing protocols to determine if mother plants are clean.

The National Clean Plant Network diagnoses and treats plants against the pathogens that cause serious disease. This prevents the spread of plant disease by enabling nurseries to produce clean plants as well as providing a safe method for the introduction of new varieties from abroad.

The fruit and nut tree component of the National Clean Plant Network is comprised of three regional centers: the Clean Plant Center of the Northwest located at Washington State University, Prosser; Foundation Plant Services at the University of California, Davis; and the Southeastern Budwood program at Clemson University in South Carolina. The National Clean Plant Network provides technical expertise and equipment not available in the private sector to test 'mother' trees to see if they are clean. If no clean trees are available, the NCPN has the capability to eliminate virus and other disease causing pathogens via heat treatment, chemotherapy, and other effective methods that cannot be implemented at the farm level.

In addition to supporting the needs of the fruit and nut tree industry both nationally and regionally, the NCPN also works with other specialty crops such as grapes, berries, citrus, and hops; building broad cooperation among interests that help to provide access to clean high-value crops crucial to nurseries and growers. This year, the network is providing support to these specialty crops through 18 clean plant centers in 14 states that ensure provide diagnostic and therapeutic services, and to help establish 'mother' plantings from which nurseries can obtain clean material vital to the specialty crop industry. The NCPN maintains mother trees in isolated orchards that are periodically tested to confirm their cleanliness, and serve as a protected source of disease tested plants for use by industry.

The NCPN provides the critically important role of screening new varieties for safe introduction to U.S. producers. New fruit and nut varieties are often considered the "life blood" required to maintain the competitiveness of U.S. producers. Our producers need the safe and affordable method provided by the NCPN to obtain new varieties from overseas sources—without this capability, illegal ("suitcase") importation of plant materials will occur, with the accompanying hazard of the introduction of exotic and destructive disease. The NCPN also plays a crucial role in enabling the exportation of nursery stock and new varieties by U.S. producers by providing testing for required phytosanitary documentation.

NCPN scientists also develop new detection methodologies and provide advice to state and Federal regulatory agencies regarding certification programs. Recent advances in plant

pathogen diagnostic and treatment technologies being supported by the NCPN (such as deep sequencing and cryotherapy) are allowing scientists at clean plant centers to rapidly

and more fully understand and treat disease at early stages; namely to be pro-active (rather than reactive) in their elimination of disease causing organisms before they become a problem.

The NCPN coordinates regional clean plant facilities into a cohesive and efficient national network, providing a forum for the exchange of technical information, coordinated planning between clean plant centers and the harmonization of certification standards which will allow the safe interstate/inter-regional and international movement of nursery stock. NCPN, working in states such as Michigan, Oregon, and Pennsylvania, is exploring opportunities to more efficiently and rapidly facilitate the movement in the nursery trade of clean plants such as fruit trees, nut trees, and berries.

Select accomplishments of the NCPN for all 5 specialty crops – fruit trees, grapes, berries, citrus, and hops – include the following:

- About 800 plant accessions annually undergo crucial diagnostic and therapeutic services;
- About 5,000 plant accessions of the greatest industry interest are maintained in secure quarantine foundation plantings;
- About 30,000 tests are conducted annually on plants in the field to ensure their continued freedom from disease causing organisms, thus ensuring their safe availability to industry;
- About 200,000 clean buds, scions, and rootstock are made available annually to nurseries and growers, much of this supporting the fruit and tree nut industry;
- Support to five specialty crop industries (fruit trees as well as grapes, berries, citrus, and hops) at 18 clean plant centers in 14 states.

We see the NCPN as one of the very brightest success stories of the Farm Bill. Before the NCPN was formed in 2009, regional clean plant facilities served the orchard and nursery industries with good cooperation and interaction but without the robust coordination and adequate resources provided by the new national network. Continued funding of the NCPN under the Farm Bill is essential to maintaining and improving the network's role of protecting U.S. nursery and specialty crop producers, the home landscape, and even the environment.

### **Plum Pox Virus - a Farm Bill Sec. 10201/10202 Success Story**

Plum pox virus (PPV), a serious disease of stone fruit, was first detected in the United States in September 1999. Overall, more than \$4.5 million in Farm Bill Sec. 10201 funding from 2009 through 2011 went toward local and national detection surveys to mitigate or manage immediate threats from the disease to U.S. stone fruit growers in Pennsylvania, New York, and Michigan. In 2009, USDA-APHIS and state partners used Farm Bill funding to complete the last stage of intense monitoring to declare eradication of PPV in Pennsylvania.

Without 10201 funding eradication efforts in Pennsylvania may not have been successful. For successful eradication, surveys must be ongoing for several years, even after an area has tested

negative. Such programs are expensive to maintain and without additional Federal funding, Pennsylvania may not have sustained its PPV eradication program to completion.

To quote Benjamin Franklin's most famous adage, "An ounce of prevention is worth a pound of cure." The overall cost of the Pennsylvania plum pox eradication effort—including surveys, indemnifications for removal of orchards and impacts to the local community—is estimated in USDA studies to be close to \$50 million dollars. The \$5 million annual funding of the National Clean Plant Network via Sec.10202 of the Farm Bill is a well-spent "ounce of prevention" that will enable the safe importation of plant materials, thereby reducing or eliminating the temptation for illegal ("suitcase") importations and the accompanying risk of the introduction of serious pests and disease.

### **Funding and Program Implementation Challenges**

Congress in the 2008 Farm Bill recognized the need to improve the pest safety net, but the improvements in that important legislation have been threatened, and the threat extends beyond these programs to many others in the bill. As you know, USDA after the Farm Bill became law determined that an earlier cap on administrative costs applied to many Farm Bill programs. If the funding for that program came from Commodity Credit Corporation and if its expenses included what USDA called "administrative," then the funding was blocked. This legal opinion held up money for the Clean Plant Network and Section 10201; it also applies to Specialty Crop Block Grants as well as other programs.

Of course, given that Congress set the funding levels for these new programs, it stands to reason that the cap was not intended to apply. USDA did not see it that way, forcing Congress to temporarily overturn this decision in the stimulus bill and in last year's continuing resolution. These fixes remain temporary and the programs have suffered from stopping and starting. Many specific projects require advance planning for staffing, purchase of supplies like traps and lures, or are tied to specific stages in a pest or pathogen's life cycle, which cannot be adjusted to meet the vagaries of the Congressional calendar. Important projects focused on providing solutions to pest emergencies have been delayed and in some cases lost.

We urge Congress to enact a permanent fix. I am a nurseryman, not a lawyer, but I am told that the USDA opinion rests on questionable legal conclusions that were never shared with Congress before the opinion became final in December 2008. The fact that Congress has twice reversed this decision, and the House has again reversed it in the FY2012 agriculture appropriations bill demonstrates Congress' disagreement with USDA's decision. Nevertheless, the best way to preserve these important programs and protect agriculture for pests and disease issues is to permanently fix the problem that USDA identified.

Similarly, emergency funding is another area in which executive branch decisions have blocked congressional directives. Outbreaks from invasive pests have dramatically increased in recent years. Nursery and other specialty crop growers lose plants and lose markets when a pest invades our area. Section 10201 and the NCPN serve to avoid these

pest emergencies. But when they do occur, fast action is necessary. The Plant Protection Act, along with the annual agriculture appropriations bill, tells USDA to move quickly and to tap emergency funding when necessary. Over the years, this promise of fast action has languished in the face of bureaucratic second-guessing. The Office of Management and Budget (OMB) has decided that it is the best judge of when there is a pest emergency.

In the last Farm Bill, Congress again told OMB that these decisions were best left to those expert at fighting pest infestations. Section 10203 of the Farm Bill says that decisions about what is an emergency or an extraordinary emergency are the sole responsibility of the Secretary of Agriculture. It is unclear what impact this amendment to the Plant Protection Act has had, and I would encourage this Committee to use its oversight powers to ensure that USDA – and OMB—comply with the law.

### **Conclusion**

In 2008, the Farm Bill became extremely relevant to the specialty crop industries which, as you know, represent roughly half the value of all U.S. crop production. Moreover, they generate jobs and economic activity in rural communities well beyond that generated by traditional mechanized row crops. To illustrate, a farming colleague in New York recently shifted 1000 acres out of high-value vegetables, and into field corn, over concerns about labor availability. Her payroll for farming that 1000 acres went from \$2.5 million for vegetables, to about \$70,000 for field corn. This represents a huge decrease in money being generated and spent in a rural area that lacks much economic opportunity.

For the nursery industry, and the fruit, nut, berry, grape, and other industries it supports, the plant pest and clean plant provisions have been among the most beneficial. We hope that they will be continued – and improved upon – in the next Farm Bill. Thank you again for this opportunity to testify at this important hearing.

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