



"Professionals  
For Texas Agriculture"

# Texas Ag Line

Official Publication of the Texas Ag Industries Association ★ 145 West Travis La Grange, Texas 78945 979-968-5602

## Visit From Homeland Security

TAIA officers Chairman Darin Hofferichter, Vice Chairman Charlie Grymes Past Chairman Jimmy Schulz and President Donnie Dippel met with Homeland Security Officials David Wulf, Director of Infrastructure Security, Annie Hunziker, Communications Coordinator, and Christopher Alonzo, Chemical Security Inspector of the Infrastructure Security Compliance Division. Director Wulf was very complimentary of the help they received from TAIA getting Texas agriculture industries registered with Homeland Security. There was discussion on the Fertilizer Bill HB942 that was passed this last session and EPA's changes to the Risk



Christopher Alonzo Annie Hunziker Donnie Dippel David Wulf Jimmy Schulz Charlie Grymes Darin Hofferichter

Management Plans on anhydrous ammonia. The importance of facilities participating in the Responsible Ag Program was also discussed. They also asked for our help in getting out information from their agency and they offered a compliance assistance visit to anyone who needed help with compliance issues.

Anyone who needs assistance or who has questions for the Homeland Security of the Infrastructure Security Compliance Division, let me know and we will get you the contact information.

## Fertilizer Legislation

The Eighty-Fourth Legislative Session has to be one of the most challenging sessions that Texas Ag Industries Association (TAIA) has ever had. The challenges started April 17, 2013, the day after the explosion and fire at West Fertilizer Company. TAIA's time and energy has been consumed by this great catastrophe that claimed lives and destroyed property in the small town of West. TAIA took on a tremendous challenge to ensure that that members of the Texas Legislature had an understanding of the fertilizer and agriculture chemical industry.

TAIA not only had to educate the Texas Legislature on the products used in our industry, but we also had to work with the State Fire Marshall's Office. I lost count of how many different drafts of bills we saw, how many committee meetings we attended, how many trips were made to Austin, and how many office visits we made to member's offices

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Vol. 92, Num 2. -----Summer, 2015

### OFFICERS

Darin Hofferichter -----Chairman  
Charlie Grymes -----Vice Chairman  
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Jimmy Schultz----- Imm. Past Chair.  
Scott Reickoff ----- Exec.Comm.  
Howard West----- Exec.Comm.  
Jim Farley----- Exec.Comm.

### STAFF

Donnie Dippel ----- President & Editor  
Governmental Affairs and Marketing  
Provided by CHB Consulting, Inc. Staff

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Ag Industries Assn.

## Chairman's Comments

Hello all,

What a year we have had up to now! This has to be one we will be talking about for years to come. Who would have thought we would get rainfall in excess in TEXAS. We have been talking about drought conditions for so long, this was quite a difference. I know it has created challenges for our industry. If we were gearing up for another 'status quo' season, we had to shift gears and do it quickly.

I applaud the resiliency of all involved in Agriculture these days. From those taking part in policy proceedings in Austin, to retailers, to growers, all of us have shown what it means to have grit and determination, and what it means to work hard for what successes we enjoy. My hat is off to all of you.

Crops look great this year. The only downside is the fact that across the state, weather caused fields to not get planted. Who would have thought we would be talking that rainfall did not allow us to get all the crop planted? But, what crops did get planted are doing great. Wheat harvest is complete south and about to finish up in the Panhandle. Sorghum is starting to be harvested in along the Gulf Coast. It is that time of year when things happen quickly and before we know it, we will be talking about preparation for fall and then 2016.

Chairman  
Darin Hofferichter



## President's Comments

It is great to have the Eighty-Fourth Legislative Session over and without a special session. I cannot tell you the vast efforts that went into this session. First there were over 6,200 bills filed and several of those bills had direct influence on our industry. I feel that TAIA came out of the session with very good legislation passed and was able to kill the bills that could have been detrimental to our members. Our goal was to pass a good workable fertilizer bill and we did. We were able to make changes to the implement of husbandry language that saved our members the tremendous burden of having to register all their pull type equipment and put license plates and tail lights on them.

Now that the session is over, we all need to think how we can do a better job with our regulator responsibilities. Everyone needs to take a look at how they are addressing regulatory compliance. Do you have all your employees trained in all the jobs they perform? Are your Department of Transportation records up to date on your drivers? There are so many requirements to keep up with that they become overwhelming. Since the West fire and explosion OSHA has increased its inspections. Several tools TAIA has to help its members meet the compliance responsibilities are the new Responsible Ag Program and the Asmark Institute. Please give me a call to discuss these two programs concerning your compliance issues before a regulatory agency shows up at your facility.

Be sure to look at the back of the newsletter for the dates of the regional meetings and if your business does commercial applications, consider sending your drivers to the Professional Applicator Training that will be held in Belton on October 9. Please take advantage of these courses to help grow your businesses.

# Summer Newsletter New Members

## Individuals

### Allied

Bailey Seed & Grain/ Kasey Kilts  
Diamond Fiberglass/ Rick Henricksen  
Doyle Equipment Manufacturing/ Kevin Donnell  
Lhoist North America/ Montie Broome and  
Jimmy Ralston  
Solution Stores / Keith McCoy  
Sullivan Insurance Agency/ Arthur Rickets  
Transland/CP Products/ Michelle Parrent

### Individual

BASF Corp./ Damon Crabtree  
CPS-Timberland Division/ Tim Roark  
Farm Bureau /Gene Hall  
Sanders /Lance Latham  
Valent/ Chris Meador

## News From The Industry

### License Plates on Fertilizer Spreaders?

Over the last year companies have called into the Texas Ag Industry Association (TAIA) office saying that they had their equipment stopped and were told they needed license plates on pull type equipment like fertilizer spreaders, anhydrous nurse tanks and weed sprayers according to Motor Vehicle Registration (MVR). After talking with MVR, they felt that this pull type equipment should be classified as a trailer. We argued that this type of equipment has always been classified as implements of husbandry and was exempt from having license plates. MVR's view was that the implement of husbandry language did not cover fertilizer spreaders, anhydrous nurse tanks, or weed sprayers since they were on a trailer frame and could be converted to a trailer by removing the fertilizer box or tank. Another concern was if the equipment required a license and exceeded the gross weight limit of 4500 pounds, it would also be required to have tail lights and turn signals.

TAIA took this concern to Representative Kacal and Senator Perry and by working with them, they filed Senate Bill 971 that expanded the implement of husbandry language to include these pull type pieces of equipment. When pulling these types of equipment remember to observe the implement of husbandry rules; we cannot afford to lose this exemption. If you get the chance to visit with Representative Kacal or Senator Perry, please thank them for carrying this legislation that saved our industry from a tremendous financial burden.

### Sullivan Insurance Agency Joins TAIA

The Sullivan Insurance Agency has been insuring Agribusiness since its inception in 1946. To date, our customers stretch across Texas, Oklahoma, and surrounding states. We provide coverage to a wide variety of clients and shop coverage with the top markets, such as Nationwide, Fairmont and many more.

The Agency's philosophy is working with a client to form a partnership based on trust and mutual respect. We look towards building a long-term relationship where the client's interest always comes first. The relationship must include a free and open exchange of information and ideas to eliminate surprises on either side.

Sullivan Insurance can tailor make programs for Agribusiness including:

|                                 |                            |   |
|---------------------------------|----------------------------|---|
| Feed Mills                      | Grain Purchasing and Sales | Commercial Fertilizer & Chemical Applications |
| Anhydrous Sales and Application | Feedlots                   | Cotton Gins Seed Distributors Cooperatives    |
| Equipment Dealers               | Chemical Distributors      | Feed Additives Pharmaceuticals Sale Barns     |

# Regionals Start Soon

Do not miss the regional meeting in your area. They are a great way to get your TDA and Certified Crop Advisor credits while hearing the most up-to-date information about agriculture issues and methodology. The schedule for meetings is on the back of this publication, but please take note that the Lubbock meeting has been moved to the Bayer Ag Museum, and also note the excellent, hands on Professional Applicator Training available through TAIA in conjunction with ASMARK on October 9<sup>th</sup>, the day after the Salado Regional Meeting in Belton. Please join TAIA for one or more regional meetings. The committees have worked hard to find speakers who will address topics of interest to specific areas of the state. Go to [txag.net](http://txag.net) to preregister and save the onsite fee or fill out the enclosed form. You can also go to the TAIA website and follow the link to preregister for the Professional Applicator Training.

Thanks to those already committed to sponsorship making the meetings possible.

## Regional Sponsors Already Committed

|   |  |
|---|--|
| <b>A &amp; L Ag Labs</b>                | <b>Martin Resources</b>                    |
| <b>Adams Fertilizer Equipment Mfg.</b>  | <b>MK Minerals</b>                         |
| <b>Ag Workers Mutual Auto Insurance</b> | <b>Monsanto</b>                            |
| <b>Ag Resources Management</b>          | <b>Monsanto Bio Ag</b>                     |
| <b>Agrium</b>                           | <b>Mosaic</b>                              |
| <b>Albaugh, LLC</b>                     | <b>Nachurs</b>                             |
| <b>American Plant Food</b>              | <b>Nichino America</b>                     |
| <b>Americot</b>                         | <b>ORO AGRI</b>                            |
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| <b>CPS</b>                              | <b>Simplot One</b>                         |
| <b>Diamond Fiberglass</b>               | <b>South Plains Valley Irrigation, LLC</b> |
| <b>Dow AgroSciences</b>                 | <b>Syngenta</b>                            |
| <b>Doyle Manufacturing</b>              | <b>Terral Seed</b>                         |
| <b>DuPont</b>                           | <b>Texas Plant and Soil Lab</b>            |
| <b>EDC Ag Products Company LLC</b>      | <b>United Suppliers, Inc.</b>              |
| <b>Equipment Supply</b>                 | <b>UPI</b>                                 |
| <b>Fast2Grow</b>                        | <b>Valent</b>                              |
| <b>Gowan USA</b>                        | <b>Warren Cat</b>                          |
| <b>Heartland Tank Services, Inc.</b>    | <b>Verdesian LifeSciences</b>              |
| <b>Helena Chemical Co.</b>              | <b>Wilbur Ellis</b>                        |
| <b>International Chemical Co.</b>       | <b>Winfield Solutions LLC</b>              |
| <b>Intrepid Potash</b>                  | <b>Winstead PC</b>                         |
| <b>Koch Agronomic Services, LLC</b>     | <b>Wylie Manufacturing Co.</b>             |

## **Continued From Page 1 Fertilizer Legislation**

For example, I remember one day prior to House Bill HB 942 going to the floor for a vote visiting thirty-four offices in one day.

The major goal of TAIA was to keep the legislation focused on the storage of ammonium nitrate and not to encompass the storage of the other fertilizer materials or agriculture chemicals handled by our industry. Our second goal was to allow those companies who wanted to handle ammonium nitrate (AN) a solution to handle the product in manner that would prevent future events like those at West Fertilizer. HB 942 filed by Representative Kacal and Senator Birdwell placed the enforcement jurisdiction under the Office of the State Chemist and did not give rule making authority to the State Fire Marshall. During the session there were other bills filed that would have given rule making authority to the State Fire Marshall allowing him to determine how the legislation would be enforced. Another bill would have allowed the Department of Insurance, the State Fire Marshall, Office of the State Chemist and other agencies to do a risk assessment to determine the amount of insurance a company would be required to have if they stored AN.

TAIA would like to thank everyone for all the support we received from the membership to accomplish the legislation in HB 942. Without members visiting state legislators, testifying in hearings, and supporting financially, we would not have been able to accomplish our goals. TAIA owes Representative Kacal and Senator Birdwell a big thank you for taking a very common sense approach to addressing every one's concerns.

## **ADS**

Each year the *Texas Ag Industries Association Membership Directory and Buyer's Guide* is published with the help of advertisers. This book is intended to be a quick reference not only including TAIA members but others in the industry that members may need to contact. Ad information will go out shortly, but if you know of changes to your ad or would like an ad please contact the TAIA office.

TAIA would also like to know of changes to any section content that would help bring the constant directory updates to members. This book is only distributed to members and not sold or given to those who simply request the publication.

## **Farming and Ranching Under the New "Waters of the U.S." Rule**

Article By American Farm Bureau Federation

On August 28, 2015, the new rule recently issued by EPA and the Army Corps of Engineers defining "waters of the U.S." (WOTUS) will officially go into effect. The rule expands federal Clean Water Act (CWA) jurisdiction over many landscape features found on private lands— including farm, ranch and forest lands across the nation. As a result, many essential and commonplace farming, ranching and forestry practices may now result in "discharges" of "pollutants" into WOTUS that require a CWA permit. Unauthorized discharges to WOTUS will be a violation of federal law, subject to large potential penalties in enforcement by the government or private citizens.

# The Summer Meeting Was Hot

Not only was the thermometer boiling but committee accomplishments were on fire. Most attendees were present for all the committee meetings making decisions for the association a true group effort. The focus was how to help TAIA grow and better serve its members. Attendees now understand the scope of the past legislative session and how hard TAIA fought to pass legislation to help members have workable fertilizer legislation that focused only on ammonium nitrate and stop legislation that would have had expensive consequences such as licensing fertilizer spreaders. The group received a large list of items TAIA has been involved in this last year. After much discussion to prioritizing the focus of TAIA, it was decided that the TAIA number one priority was getting members involved in the Responsible Ag Program. If you did not join us this year, please join us next year perhaps during the last week of July instead of the first week in August at a site to be chosen at the board meeting in January. We have numerous site suggestions and are open to others.

It was great to add chairs to the meeting rooms and have over forty in the board meeting on Thursday. Seeing all the member kids in the pool and several enjoying the putt putt tournament even in the heat supported the idea that this is a family friendly event mixing enjoyment and work. Congratulations to Todd and Cash Smith who won the FACT tournament and to Kevin Donnell who won wine and a necklace in the card drawing to help the FACT fund. The smoke on Wednesday night thankfully was not from a wildfire, but from the pit of our now permanent, gifted TAIA cook-Tommy Brandenberger. Join us next year or make sure you return.

Also a giant thank you to the multiple sponsors who again through their generosity made everything possible.

## 2015 Summer Meeting Sponsors

|                                      |                                 |
|--------------------------------------|---------------------------------|
| <b>A &amp; L Plains Ag Labs</b>      | <b>Martin Resources</b>         |
| <b>Ag Resource Management</b>        | <b>MK Minerals</b>              |
| <b>Agrium</b>                        | <b>Monsanto</b>                 |
| <b>AM-AG LLC</b>                     | <b>Mosaic</b>                   |
| <b>American Plant Food</b>           | <b>Murray Equipment Co.</b>     |
| <b>AMVAC</b>                         | <b>Nachurs</b>                  |
| <b>ASMARK</b>                        | <b>NuFarm Americas Inc.</b>     |
| <b>Bayer Crop Science</b>            | <b>Pinnacle Ag Holdings LLC</b> |
| <b>Capital Farm Credit</b>           | <b>Poole Chemical</b>           |
| <b>CF Industries</b>                 | <b>PotashCorp</b>               |
| <b>CNI (Chem Nut)</b>                | <b>Sanders</b>                  |
| <b>CHS</b>                           | <b>Servi-Tech Laboratories</b>  |
| <b>Crop Production Services</b>      | <b>Simplot Grower Solutions</b> |
| <b>Dow AgroSciences</b>              | <b>Sipcam Advanta</b>           |
| <b>Doyle Equipment Manufacturing</b> | <b>Syngenta</b>                 |
| <b>DuPont</b>                        | <b>Terral Seed</b>              |
| <b>El Dorado Chemical</b>            | <b>Tessengerlo Kerley Inc.</b>  |
| <b>Equalizer</b>                     | <b>United Suppliers, Inc.</b>   |
| <b>Gowan USA</b>                     | <b>UPI</b>                      |
| <b>Heartland Tank Services</b>       | <b>Verdesian Life Sciences</b>  |
| <b>Helena Chemical</b>               | <b>Warren Cat</b>               |
| <b>InterChem</b>                     | <b>Wilbur- Ellis</b>            |
| <b>Intrepid Potash</b>               | <b>Winstead PC</b>              |
| <b>Koch Agronomic Services, LLC</b>  |                                 |

# Scholarship Recipients

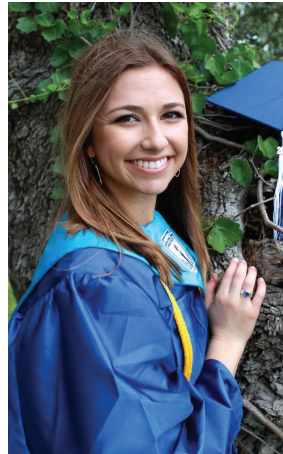
TAIA awarded five \$2000 scholarships – four Gary Fitzgerald Memorial Scholarships and one in memory of Kim Coker. Both of these gentlemen supported agriculture throughout their lives and it is fitting their legacies promote scholarship and agriculture.

Malori Mitchon is the daughter of Jackie and Mark Mitchon. She plans to major in Allied Health or education. She has begun her college career at Blinn College in Bryan.



Rachel Rush is the daughter of Beverly and Wayne Rush of Lubbock. She is planning to get a degree in both Food Science and Agriculture Communications at Texas Tech's College of Agriculture Science and Natural Resources.

Garrett Taylor is the son of Scharla and Scott Taylor and will be majoring in Plant and Environmental Soil Science with Crop Emphasis at Texas A & M University.



Tessa Jendrusch's parents are Stephen and Marilyn Jendrusch. Tessa will be a Nutritional Sciences major at Texas A & M



Hunter Hazzard is the second recipient of the Kim Coker scholarship and is the son of Stephanie and "Hap" Hazzard. He plans to attend Texas A & M University and develop his skills with a degree in mechanical or computer engineering.

Congratulations to all those who applied; you should all be proud of your accomplishments. If you did not receive a scholarship this year, please re-apply by April 1, 2016. Good luck in all your endeavors!

## Scholarship Raffle Sponsors

**Agrium U. S. Inc.**  
**AMVAC**  
**Bayer CropScience**  
**DuPont Ag Products**  
**Gowan USA**

**Helena Chemical Company**  
**Intrepid Potash**  
**Mosaic Company**  
**Poole Chemical**  
**PotashCorp**

**Sanders**  
**Servi-Tech Laboratories**  
**Simplot Grower Solutions**  
**Syngenta**  
**Wilbur-Ellis Company**

# ResponsibleAg

At the TAIA Summer Meeting it was decided our number one priority for the coming year was to work with our members to get them involved in the Responsible Ag Program. We cannot afford another major accident in our industry. Getting everyone who handles fertilizer and ag chemicals as members of TAIA is our first step toward their participation in the Responsible Ag Program.

The 10 Reasons to Participate in Responsible Ag include:

1. Avoid OSHA, DOT, DHS, and EPA violations and fines.
2. Avoid employee injuries.
3. Prepare for emergency response.
4. Avoid transportation incidents.
5. Enhance Facility and operational security.
6. Avoid facility fires.
7. Reduce workers' compensation costs.
8. Reduce insurance costs.
9. Support stewardship goals.
10. Protect and enhance your reputation.

Get more of the facts at [ResopnsibleAg.org](http://ResopnsibleAg.org)

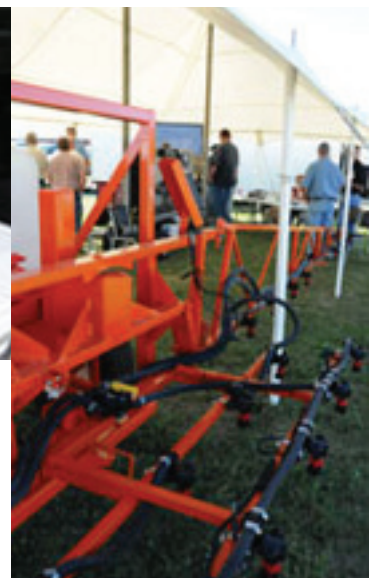
## Professional Applicator Course

Application technology is rapidly changing how crop protection products are applied. This unique mobile course focuses on maximizing performance while minimizing spray drift. In 2009, Asmark Institute was made aware of the void in industry of high quality professional applicator training available to commercial applicators, so we responded with a highly experienced and nationally-recognized instructor and a training experience using equipment designed and built specifically for this course.

Applicators today personally interact with the farmer more than any other employee. This course stresses the applicator's importance to a successful business. Training course includes a great deal of hands-on demonstrations and exercises. More than \$250,000 of new equipment designed and constructed exclusively for this course is used to conduct this training.

- Robert E. Wolf, Ph.D., Lead Instructor
- 1-day course
- Conducted at 36 locations across the U.S.
- \$220.00 per Pre-registered Participant
- \$295.00 per Walk-in Participant

To register go to [txag.net](http://txag.net)





# TAIA Leadership

## 2015 Officers

### Chairman

Darin Hofferichter, Wilbur-Ellis Co., China Springs

### Vice Chairman

Charlie Grymes, DuPont Ag Products, Inez

### Secretary/Treasurer

Noble Laminack, Bayer CropScience, San Angelo

### Immediate Past Chairman

Jimmy Schulz, Sanders, El Campo

### Executive Committee Member

Scott Rieckhoff, Syngenta, Georgetown

### Executive Committee Member

Howard West, Simplot, Hempstead

### Executive Committee Member

Jim Farley, Farley Farm Supply, DeLeon



## 2015 Board of Directors

### Dealer / Distributors

Ken Mull, CHS, Lubbock

Darin Hofferichter, Wilbur-Ellis Co., China Springs

Brad Locke, Crop Production Services, College Station

Tony Savage, Helena Chemical Co., Bardwell

Jimmy Schulz, Sanders, El Campo

Randy Stephens, SureGrow, Comanche

Ryan Garner

Howard West, Simplot, Hempstead

Rosty Walker, Inter-Chem, Tulsa, OK

### Manufacturers

James Hopkins, Agrium U.S. Inc, Canyon

Mark Newman, Mosaic Co., Amarillo

Scott Rieckhoff, Syngenta, Georgetown

Billy Wood, Martin Resources, Plainview

Zachry Adams, Intrepid Potash, Denver

Charlie Grymes, DuPont Ag Products, Inez

Noble Laminack, Bayer CropScience, San Angelo

Larry Unruh, American Plant Food, Galena Park

Bart Hunt, PotashCorp., Shawnee KS

### Allied Industries

Matt Murphree, Heartland Tank Services Inc, San Marcos

Doug Heck, Warren Cat, Lubbock

## 2015 Committee Leaders

### Administration Committee

Ch: Scott Piercy, Poole Chemical Co., Lubbock

Co: James Hopkins, Agrium U.S. Inc, Canyon

### Conference Committee

Ch: Noble Laminack, Bayer CropScience, San Angelo

Co: Lynae Austin, MK Minerals, Weatherford

### Governmental Affairs / Regulatory Committee

Ch: Randy Stephens, SureGrow Ag Prod., Comanche

Ch: Larry Unruh, American Plant Food, Galena Park

Co: Tony Savage, Helena, Bardwell

### Marketing/Communications Committee

Ch: Ken Mull, CHS, Lubbock

Co: James Nichols, SureGrow Ag Prod., Tyler

### Nominating Committee

Ch: Jimmy Schulz, Sanders, El Campo

Co: Scott Piercy, Poole Chemical Co., Lubbock

## Regional Committees

### Dumas Regional Meeting Committee

Ch: David Reinart, Better Harvest, Inc. Dumas

Co: Tim Robertson, CPS, Dumas

### El Campo Regional Meeting Committee

Ch: Leon Blackwelder, American Plant Food, Liberty

Co: Jimmy Schulz, United Ag. Coop, Inc., El Campo

### Lubbock Regional Meeting Committee

Ch: Justin Bellar, Wilbur-Ellis Co., Littlefield

Co: Katie Verett, Dow AgroSciences, Lubbock

### Rio Grande Valley Regional Meeting Committee

Ch: Juan Zamora, Wilbur-Ellis Co., Edinburg

Co: Rick Hernandez, Bayer CropScience, Edinburg

### Salado Regional Meeting Committee

Ch: Justin Allen, Sanders, Rosebud

Co: David King, Nichino America, San Antonio

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La Grange, TX 78945

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# Calendar of Events

September 10th

Lubbock Regional Meeting  
Bayer Crop Ag Museum  
Lubbock, TX

October 8th

Salado Regional Meeting  
Bell County Expo Center  
Belton, TX

November 5th

Dumas Regional Meeting  
Amarillo College  
Dumas, TX

October 1st

South Texas Regional Meeting  
Kleberg Center  
Kingsville, TX

October 9th

Professional Applicator Training  
Bell County Expo Center  
Belton, TX

January 19th -21st, 2016

TAIA Annual Meeting  
Crowne Plaza  
Addison, TX

October 27th

El Campo Regional Meeting  
El Campo Civic Center  
El Campo, TX