25 Days to New Website Launch
The Asmark Institute website has undergone an extensive review. The review was prompted by ideas and comments from the Performance Evaluations completed by clients this past winter. Overall, more than 100 improvements will be incorporated into the October 25th launch. For the first time, clients will have a choice of selecting to participate in the new Electronic Service Program (ESP) that will provide the infrastructure to correspond electronically. ESP will be a choice, not a mandate, so the traditional method of correspondence will continue to be offered. Other new website improvements include the acceptance of the FireFox browser in addition to Internet Explorer, new record archival, better data validation, introduction of Snapshots 2.0 Management Dashboard and a host of improvements such as new technology sprinkled throughout the website that will make it more effective and user-friendly. Additionally, infrastructure improvements are being made to databases and hardware that will increase bandwidth, maximize server power and support the increase in data storage capacity. This will result in a faster, more streamlined and powerful website for our clients.

Snapshots 2.0 - Archive Feature
Imagine a digital file cabinet that gives you convenient 24/7 access to previous years’ reports. One of the new features being added to the Snapshots Management Dashboard is exactly that. Over the past several months here at the Asmark Institute, Amy and Danielle have scanned thousands of reports from the past 21 years from our archive files. Every regulatory report that has been filed by Asmark since 1989, was accounted for and scanned into pdf format for retrieval on Snapshots. The Archive folder, which will be available with the launch of the improved Snapshots 2.0 in October, will include SARA Tier II Reports, Pesticide Production Reports (PPR) and Risk Management Plans (RMP) for each client. We receive a few calls each year from clients who have misplaced their copy of a report and need us to mail them another. With the new Archive feature, clients will be able to access those reports themselves quickly and conveniently.

Don't TXT_n_drV!
OSHA has announced a partnership with DOT to combat distracted driving. "It is imperative that employers eliminate financial and other incentives that encourage workers to text while driving," said Secretary Hilda Solis. “It is well recognized that texting while driving dramatically increases the risk of a motor vehicle injury or fatality.” Prohibiting texting while driving is the subject of an executive order signed by President Obama last year for federal employees and the subject of rulemaking by the DOT.

EPA Region 7 Administrator Karl Brooks Discusses Policies and Regulations
Click here to watch the Karl Brooks/Ken Root interview posted by the Agribusiness Association of Iowa.
**New "Bio-Concrete" Regenerates to Patch its Own Cracks**
Dutch researchers have developed a new biological concrete that blends packets of dormant mineral-eating bacteria and chemical bacteria "feed" into the aggregate during concrete production. When cracks develop, oxygen and water seep into the concrete and wake the bacteria, which eat the feed and excrete calcite, sealing the cracks. The technology roughly doubles the price of concrete, but researchers are working to bring down the cost.

**OSHA to Formally Launch Increased Penalties**
OSHA will formally launch a new policy that increases proposed penalties according to Dr. David Michaels, Assistant Secretary of Labor for Occupational Safety and Health. Michaels framed the upcoming changes in a speech given at the Occupational Safety & Health Review Commission annual judicial conference on September 14, 2010. The planned changes to the administrative penalty calculation system were announced by OSHA earlier this year and include:

- History reduction will be expanded from three to five years.
- Employers that have been cited by OSHA for any high gravity serious, willful, repeat, or failure-to-abate violation within the previous five years will receive a 10 percent increase in their penalty, up to the statutory maximum.
- Time period for repeat violations will be increased from three to five years.
- Area Director/Informal Conference reductions will be changed.
- High gravity serious violations related to standards will be citable as separate violations.
- A gravity-based penalty determination will be adopted, providing for penalties between $3,000 and $7,000.
- Employment size reductions will be lessened.
- The current good faith procedures will be retained.
- Final penalties will be calculated serially resulting in an increase of approximately 50 percent to a moderate gravity penalty.

Click here to read Dr. Michaels' speech.

**EPA Announces Regional Administrator for Region 4**
U.S. EPA Administrator Lisa P. Jackson announced President Barack Obama's selection of Gwen Keyes Fleming as the Agency's Regional Administrator for EPA's Region 4. This region encompasses Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and 6 Tribal Nations. Gwen Keyes Fleming has more than 15 years experience as both a prosecutor and administrator, serving as the District Attorney for the past five years in Georgia’s Stone Mountain Judicial Circuit which encompasses all of Dekalb County. She is the first African-American and the first woman to have held the District Attorney position. Regional Administrators are responsible for managing the Agency's regional activities under the direction of the EPA Administrator. Keyes Fleming obtained her B.S. in Finance from Rutgers University and her Juris Doctorate from the Emory University School of Law. She has received numerous awards including Atlanta's Top 100 Black Women of Influence in 1999, 2007, 2008, 2009 and 2010, and the Women in the NAACP Award in 2010.

"Corn Sugar" Should be New Name for High Fructose Corn Syrup
To "help clarify the labeling of food products for consumers," the Corn Refiners Association (CRA) recently petitioned FDA to allow manufacturers to call high fructose corn syrup (HFCS) "corn sugar" on their labels. The move is aimed at widespread consumer confusion over HFCS, CRA said, explaining that "contrary to consumer belief...HFCS is not high in fructose when compared with other commonly used nutritive sweeteners, including table sugar, honey and fruit juice concentrates." CRA said independent research confirms the consumer confusion and the use of the "corn sugar" description will ease that confusion.

Company Fined $1.2 Million for Failing to Record Injuries, Illnesses
Goodman Manufacturing Company has been issued 83 willful citations by OSHA for failing to record and improperly recording work-related injuries and illnesses at the company’s Houston air conditioning cooling facility. Proposed penalties total $1,215,000. "Accurate workplace injury and illness records are vital tools for
identifying hazards and protecting workers’ health and safety," said Secretary Hilda Solis. "Workers and employers need this information to recognize patterns of injuries and illnesses, and prevent future hazards."

Reasons Stocks in Agricultural Equipment Are Strong
Agricultural equipment is not a complicated stock group to follow, with three major companies much larger than any other players (Deere, AGCO, and CNH) and all three companies have posted stock price gains this year and last, with Deere and AGCO doing so the most convincingly. Two other stocks in agricultural equipment manufacturing are worth noting by investors: Titan International Inc. and China Farm Equipment Ltd. The dramatic growth of emerging markets such as China, India and Brazil; strong crop prices; and the potential for a U.S. economic recovery continue to boost the prices of agricultural equipment manufacturers. The biggest factor is that farmers are in very good financial shape, and when that happens they step up and reinvest in their businesses. Things were booming for farming equipment makers until mid-2008 when everything collapsed, but since early 2009 they've been making their way back and are in the early stages of recovery. The growth in India and China has been so solid that it is aiding the entire world economic picture, including the farming equipment makers.

Postal Service to Seek January 2011 Price Change
Postal regulators yesterday denied requests by the U.S. Postal Service to raise postage rates in January beyond the rate of inflation, ruling that the mail agency's recent financial woes were caused by a flawed business model and not the recent recession. The decision means a rise in stamp prices and other postage rates will not take effect in January as the Postal Service had hoped - at least not yet. In July, it requested the right to raise postage rates on first-class mail, periodicals and other services beyond the rate of inflation. A 2006 law allows the service to file an exigent, or urgently necessary, case to raise prices that much if it can prove that "exceptional or extraordinary circumstances" warranted the increase. "The Postal Service didn't make the case, didn't make the connection between the problems they suffered during the recession and the revenue they were requesting," the commission's chairman, Ruth Y. Goldway, said in an interview. The request seemed more part of the mail agency's 10-year business plan than one prompted by an emergency, she said. Yesterday's ruling came the day before the Postal Service is set to announce billions of dollars in losses in fiscal 2010 amid declining mail volume. It ends fiscal 2010 with about $2 billion in cash and available credit, said Postmaster General John E. Potter, who expressed disappointment with the regulators' decision.

OSHA Announces New Requirements for 10 & 30-Hour Courses
OSHA has revised its Outreach Training Program Guidelines to help ensure that workers retain important information that may prevent injuries, illnesses, and death. Effective immediately, authorized trainers are required to limit courses to a maximum of 7½ hours per day. This means that all 10-hour courses must be taught over a minimum of two days and 30-hour courses over a minimum of four days. Exceptions will only be granted in extremely extenuating circumstances, according to the agency. These will not include cost savings, trainer availability, time limits, or missing work. Prior to this change, the agency had no requirements for how long these classes should last each day.

The Outreach Training Program provides workers with an overview of OSHA and training on how to identify, avoid and prevent workplace hazards. Students who successfully complete 10 and 30-hour courses receive certification cards and can take an additional course to become authorized trainers.

Deere and Caterpillar Withdraw From Coalition Supporting Cap-and-Trade
Deere & Company ended its involvement with the U.S. Climate Action Partnership, a coalition pushing to reduce emissions through a cap-and-trade program. A Deere spokesman said the company withdrew to pursue other climate-control initiatives, and not because of pressure from two conservative groups critical of its involvement. Caterpillar has also left the group.

OSHA Opens Area Offices
OSHA recently announced that it is opening four new area offices in Las Vegas, Nevada; Oakland, California; Phoenix, Arizona; and San Diego, California. The new locations will support increased activity, strengthened enforcement, and enhanced state plan oversight. "With these brand new area offices, we will improve service to workers and employers, and enhance our coordination and oversight with state plans," said Ken
Nishiyama Atha, OSHA's regional administrator in San Francisco, California. "This presence ultimately will ensure workers are better protected."

President Signs Small Business Bill with Depreciation Bonus
The U.S. House has approved the Senate-passed version of small business bill H.R. 5297 and the President has signed the legislation. The legislation contains 50% bonus depreciation for 2010 (retroactive to the beginning of the year) and substantial increases in IRS Section 179 small business expensing levels for 2010 and 2011. The legislation also holds the depreciation bonus harmless from percentage of completion.

Grain Handling Facility Cited $293,000 for Engulfment Hazards
OSHA cited a Nebraska grain handling facility, and proposed $293,000 in penalties, for alleged safety and health violations discovered in a December 2009 inspection. OSHA's inspection found seven alleged willful, sixteen alleged serious, and three alleged other-than-serious violations.

The willful violations stem from the company's failure to provide fall protection on open-sided platforms; operation of mechanical equipment, known as augers, while employees worked within the grain bin; failure to test the atmosphere prior to grain bin entry; instructing employees to walk down the grain; lack of a retrieval system for grain bin entries; lack of an attendant during bin entry operations, and fugitive grain dust that exceeded one-eighth inch depth. OSHA issues a willful violation when an employer exhibits plain indifference to or intentional disregard for employee safety and health.

The serious violations include deficient guardrail systems; unapproved powered industrial truck modifications; a lack of inspections on mechanical and safety control equipment; energized electric wiring left exposed, in disrepair, and/or inappropriately used; a lack of/deficient machine guarding; and a failure to label hazardous chemical containers. OSHA issues a serious citation when death or serious physical harm is likely to result from a hazard about which an employer knew or should have known.

IDALS Warns of Pin-Holes in Nurse Tanks
The Iowa Department of Agriculture and Land Stewardship (IDALS) conducts inspection of tanks located at commercial fertilizer dealers, and has found tanks from American Welding & Tank that have leaks. The Department has sent a letter to all anhydrous dealers to share their concerns about the tanks, but wanted to communicate with farmers as well who will soon be starting fall fertilizer applications.

Iowa Secretary of Agriculture Bill Northey is encouraging farmers to check any anhydrous ammonia nurse tanks they have on their farm for pin-hole leaks or faulty welds that could undermine the integrity of the tank. If a farmer finds a tank leaking they should contact their dealer who provided the tank. None of the tanks found to have pin-hole leaks have had a catastrophic failure; however, leaking tanks are a serious health threat and it is important farmers exercise caution and work with their local dealer.

IDALS has issued “stop use” orders on fifteen tanks found to be leaking during its annual inspection process. The U.S. Department of Transportation is responsible for the regulation of nurse tanks and have been informed of the Department’s findings as well. Click here to read the IDALS press release.

IRS to Eliminate Federal Tax Deposit Coupons
Proposed regulations (No. 153340-09) would eliminate the rules requiring federal tax deposits by paper coupon because the paper coupon system will no longer be maintained by the Treasury Department after December 31, 2010. The proposed regulations generally maintain existing rules for depositing federal taxes through the Electronic Federal Tax Payment System (EFTPS).

Teaching Fertilizer 101 by Ford B. West
For half a century, the national trade association representing the fertilizer industry has published a resource known as the Fertilizer Handbook to communicate information about our industry and its products. The first handbook, released in 1959 by The Fertilizer Institute’s (TFI) predecessor, the National Plant Food Institute (NPFI), was intended to enhance the use of fertilizers among growers by demonstrating the profitability of fertilizer use. A second edition of the handbook, which covered everything from correcting soil problems to examples of crop production economics, was released by NPFI in 1963. Two decades later, TFI released yet
another fertilizer handbook containing chapters on fertilizers and the environment, energy and safe storage and handling of fertilizer products.

Still Teaching... Today, as TFI fields inquiries from school students completing science fair projects, interested consumers who wish to know more about fertilizing their lawns and gardens — as well as lawmakers and members of the media who are following policy issues that pertain to the fertilizer industry — the need for a communication tool that is capable of speaking to all of those audiences emerged and prompted TFI to launch the “Fertilizer 101” initiative, which features the Fertilizer 101 book and fertilizer101.org website.

Whether addressing climate change and energy policy, environmental health and safety regulations or transportation related issues, it’s essential that members of Congress and their staffs have the context necessary to understand the fertilizer industry’s position on these issues of importance. Fertilizer 101 will serve as a valuable educational tool that TFI’s government relations staff will utilize when advocating on behalf of the industry on Capitol Hill.

Fertilizer 101 may also serve as an educational resource for the fertilizer industry. As more and more professionals who do not have a background in agriculture join our industry, it is important to have tools available that may quickly and effectively provide an overview of the industry and its products. Fertilizer 101 is designed for an audience with limited knowledge of fertilizers and TFI is hopeful that our member companies will find great value in sharing this resource with their employees and customers.

Moving Online... The addition of an online component, the fertilizer101.org Web site, should make sharing the Fertilizer 101 initiative easier than ever before. Not only will the Web site serve as a resource that TFI will direct its members, the general public and the media to utilize, but it will also provide an opportunity for Fertilizer 101 to be a dynamic and relevant resource. TFI will use www.fertilizer101.org as a platform for expanding content for topics that already exist in the Fertilizer 101 book and for adding information regarding emerging issues.

What began 50 years ago as an effort to educate growers on how fertilizers may be used to increase their yields and in turn boost their bottom line has evolved into an initiative aimed at sharing the social benefits of fertilizer with a much broader audience. Fertilizer 101 is a tool for our time that not only speaks to fertilizer’s role in food production, but also our industry’s commitment to environmental stewardship and the sustainability of our products.

Ford B. West is the President of The Fertilizer Institute with more than 30 years of dedicated service to the fertilizer industry. Click here to visit the Fertilizer 101 website.

KENTUCKY: Reminder ATVs Must Be Titled
House Bill 53 requires all terrain vehicles (ATVs) purchased on or after July 1, 2010, must apply for a certificate of title through the local county clerk office. The clerk will require proof of purchase and confirmation that sales and use tax was paid on the purchase price of the vehicle. Owners of ATVs purchased from out-of-state retailers without payment of the 6% use tax must pay the tax before completion of title registration. This title registration process doesn’t change the requirement for in-state retailers to collect sales tax from their customers at the time of purchase.

2010 Amsmark Institute, Inc. This information is believed to be reliable by the Amsmark Institute, however, because of constantly changing government regulations, interpretations and applicability or the possibility of human, mechanical or computer error, the Amsmark Institute does not guarantee the information as suitable for any particular purpose.