

NEWS, NOTES & QUOTES



National Newsletter of the Mulch & Soil Council

June 2023

COUNCIL NEWS

COMMITTEE MEETING NOTICE



The next meetings of MSC committees will be held in Nashville, TN, on Wednesday afternoon, July 26, 2023, starting at 1:30pm. The tentative schedule of events include:

- 1:00pm-2:30pm MSC Certification Committee & Organic Sub-Committee
- 3:00pm-4:15pm MSC Bylaws Committee
- 4:20pm-5:00pm MSC Statistics Committee
- 5:00pm-5:20pm MSRF Board Meeting.

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 discussions 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 enough seating space for everyone. Contact membership@mulchandsoilcouncil.org to reserve your seat.

###

BOARD MEETING NOTICE



The MSC Board of Directors will convene its next meeting on Thursday, July 27, at 8:00a.m.-12:00p.m. in Nashville, TN. 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 July 5.

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.

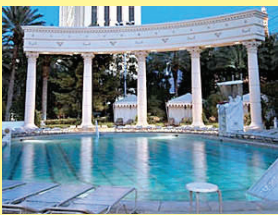
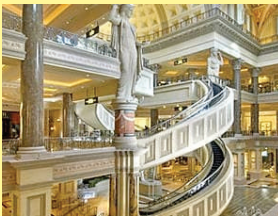
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NEW MSC PLANT MANAGERS TRAINING COURSE

For almost 20 years, the MSC has held biennial training courses on Weights & Measures topics, often in conjunction with experts at the NIST Office of Weights & Measures. After last year's course, several members requested we expand our training programs to include topics other than W&M; so, we looked at what issues are most common problems around the industry and recommended several to the Board at their April meeting.

The overwhelming response came back in support of a program on Best Management Practices for Fire Prevention, Management & Control followed by a related topic on BMPs for Equipment Maintenance and Repair; so, we are pleased to announce our plans for a full-day program for the:

NEW MSC PLANT MANAGERS TRAINING COURSE



THANK YOU
Platinum Sponsor



Plant Managers' Training Course On August 23, 2023 Caesars Palace Hotel Las Vegas, NV



Topic#1: Fire Safety BMPs

Speaker: Don Dugger, The Scotts Company (retired)

Est. Time Duration: 4.5-5 hr.

General Content:

- Inventory Monitoring: Pile Content, Pile Age, Temperature Sampling, Smoke Detection, Pile Size, Drone Data, Distance Between Piles (Access), Weather & More
- Site Issues: Prevailing Winds, Drainage, Water Supply, Equipment Access, Fire Equip Access & More
- Facility Issues: Fire Detection, Automatic/Manual Fire Suppression In Buildings, Ventilation, Volatile Dust Control, Flammable Chem & Supply Storage, Proper Extinguishers For Materials In Area, Daytime/Off-Hour/Holiday Firewatch BMPs & More
- Fire Action Plan: Minor Incident Materials Inventory Or Equipment, Significant Incident Inventory Or Equipment, Major Incident Inventory Or Equipment, Internal Information Flow, External Information Flow/Notifications & More
- Fire Extinguishing Protocols: Equipment, Personnel, Procedures, Internal And External Resource Controller & Coordinator & More

Topic #2: 4 Key Equipment Maintenance Strategies to Sustain Lasting Improvements

Speaker: Ted Dirx, Manager, Vermeer Recycling & Forestry Div.

Est. Time: 1.5 Hr.

General Content:

For many mulch and soil operations, maintenance is not always top of mind and often treated as an "as needed" business practice. Most have good intentions, but over time the weight of juggling a bustling business leads to an approach of *fail and fix*.

Through my work as an Application Specialist and Sales Manager I have spent the past 12 years working with customers who implement world class maintenance practices and others who practice very little. It's through these experiences that I will share four key strategies on:

- how to justify the investment in maintenance,
- how to better prepare your team for success,
- how operational decisions influence it, and
- how you can tap into resources you didn't even know you had.

The goal of this presentation is to challenge an operations approach of *fail and fix* and inspire a more proactive mindset of *predict and prevent*.

Registration Fee: \$349 / person

Registration includes:

- Welcome Breakfast,
- Morning Break,
- Working Lunch,
- Afternoon Break, and
- All Instructional Materials.

Watch For Program Flyer & Registration Form Email Very Soon!

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ALSO ANNOUNCING!



Join us in this historic southern city for
MSC's 52nd
Annual Meeting!

Covering topics for everyone from owners and plant managers to account and marketing managers to industry suppliers.

This year's meeting topics will include:

- The Crow Report: What's Going on in Washington D.C.
- What About Biochar?
- Technology That Works
- Canadian Peat: Ideal for Growing For Generations to Come
- Managing Through A Catastrophic Event

Keynote Speaker: Ken Schmidt

*Authentic Leadership and Customer Loyalty Expert
Senior Role in Harley-Davidson Turnaround*

Author, Make Some Noise: The Unconventional Road to Dominance

We hope to see you there!

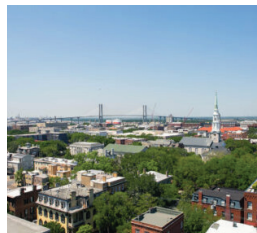
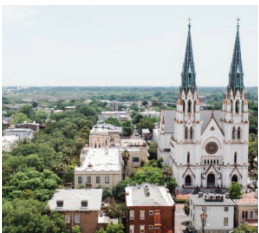
**Mulch & Soil Council
2023 Annual Meeting**

Celebrating 52 Years!

October 10 - 12, 2023

**The DeSoto Hotel
Savannah, GA**

For more info, go to
www.mulchandsoilcouncil.org



2023 MSC Annual Meeting

October 10 - 12, 2023

The DeSoto Hotel - Savannah, GA

Tuesday, October 10

1:30p-5:00pm MSC Committee Meetings

Members in good standing are welcomed to participate in committee meetings as observers.

5:00p-6:30p Meet the MSC Board of Directors

Join the MSC Board of Directors for informal talks over cocktails as they share information on the programs and activities of the Council and the industry. *Sponsored By nVenia*

Wednesday, October 11

8:00a-12:00p Board of Directors Meeting

Members in good standing are welcomed to participate in the Board of Directors meeting as observers.

12:30p-1:00p Break *Sponsored By Inteplast Engineered Films*

1:00p-1:30p Official Opening and Welcome

Hear from MSC President Jim Weber, Program Chair Larry Doose, Legal Counsel John Hazard and Executive Director Robert LaGasse as we invite you to join us for the start of the 52nd MSC Annual Meeting.

1:30p-2:30p Crow Political Report

Join us as MSC Legislative Representative DAVID CROW presents our annual update on the state of politics in the U.S.

2:30p-3:00p Break *Sponsored By T.H. Glennon*

3:00p-4:30p 51st MSC Annual Membership Meeting

Hear reports from MSC leadership and committees, elect Council directors and discuss MSC programs and activities as they may impact your business and the industry. **Moderator: Robert LaGasse, MSC Executive Director**

4:30p - 7:00p Opening Reception & Affiliate Member Displays

Join us to meet with old friends and new members over cocktails and hors d'oeuvres while visiting with the industry's leading suppliers and vendors. *Sponsored By Vermeer Corporation*

Thursday, October 12

8:30a-9:00a Break *Sponsored By Faltech*

9:00a-10:00a Canadian Peat: Ideal for growing, for generations to come

Peat has been recognized by generations of growers and consumers worldwide as the quintessential of growing media components with characteristics that are unrivalled. Peatlands, from which Peat is extracted, constitute a very precious ecosystem that plays a role in carbon sequestration, a key factor in global warming. At a time when questioning the GHGs we emit and sustainability has become the norm and when, sometimes, context is put aside and unfortunately replaced by information from other parts of the world, CSPMA, the association of Canadian peat producers, presents the science, 30-years in the making, about the Canadian Peat extraction industry and how it sees its sustainable future. **Speakers: Asha Hingorani, CSPMA & Michel Guay, Premier Tech**

10:00a-10:30a Break *Sponsored by Chromascape*

10:30a-11:30a What is Biochar?

This presentation will seek to provide an overview of the current state of biochar as a commercial product and answer the questions: What is biochar?, How is it made?, Why is that different than just burning wood?, How does biochar sequester carbon?, What to do with biochar?, What is the value \$\$\$?, What opportunities are there in biochar for soil amendment producers, vendors, applicators, and benefactors?, How to get involved with the emerging industry? **Speaker: Nick Vetsch, TRUE Advisor**

11:30p-2:00p Keynote Luncheon - Ken Schmidt, Former Harley-Davidson Director

It's an impersonal world, where so many products and services are seen as easily-replaced, indistinct commodities. Whether you stand out or get lost in the crowd is a choice. A mindset. Ken Schmidt faced those same challenges himself and gained acclaim for his role in the extraordinary turnaround of the legendary Harley-Davidson Motor Company. That transformation was based on a change in mindset and a focus on answering three key strategic questions. While times have changed, what humans want and need from the businesses they buy from and work for hasn't. In his high-energy speeches, Ken inspires companies and individuals to shift their thinking and ride a path to success by becoming memorable – not for what they do or what they make, but for how they connect with people.

2:00p-3:00p Technology That Works

This session will cover 8 types of technology that has been implemented that will give any operation a higher level of management, control and reduce costs. **Speaker: Ben Ballard, Sylva Corporation**

3:00p-3:30p Break *Sponsored By Social Marks Media*

3:30p-4:30p How to Manage Through A Catastrophic Event

A panel of members that have experienced large losses in their companies will share what happened in their situations and also give insight as how to deal with it after it happens. Pitfalls of insurance coverage and how to negotiate with insurance carriers will be discussed as well as advice on managing your loss control in this area for the future. **Moderator: Larry Doose, Annual Meeting Program Chair**

4:30p-6:00p President's Reception

Join us for our closing event as the President's Reception gives participants the opportunity to recap the bounty of information presented at the meeting and say goodbye to old and new friends before returning home reenergized. *Sponsored By Komptech*

THANK YOU To Our 2023 Annual Meeting Sponsors

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Everyone is Welcomed to Participate!

Sharing experiences and learning from others who have gone through the same trials is one of the major reasons for industry meetings. There is no better proof of the value of getting together as an industry than last year's RECORD BREAKING attendance in Charlotte. Building on that experience, we plan to set another record in Savannah for 2023.

From owners to plant managers or marketing and sales executives to industry suppliers, the MSC invites all interested parties to Savannah for the 52nd MSC Annual Meeting. Come in person to network with industry people and to hear what the Council is doing for your benefit.

General Meeting Guidelines:

Non-Members: Participation from non-member companies is welcomed. Non-member participants may attend one association meeting as a first-time registrant and are entitled to the member registration rate. Participation at a second meeting as a non-member is permitted at non-member registration rates. Attendance at additional meetings is by special invitation only. Non-members of MSC may join the Council at any time prior to the Annual Meeting and receive an immediate discount on the registration fee. For information on becoming a member, contact the MSC office at (806) 832-1810.

Meeting Registration: Registration fees include participation at education sessions, handouts, coffee breaks, receptions and the Keynote lunch. Travel to the meeting and hotel accommodations are NOT included in the registration.

Cancellations & Refunds: Cancellations must be received in writing at the MSC office by September 20, 2023, and will be subject to a cancellation fee of 25%, which will be deducted from the refund. No refund will be made for cancellations received after September 20, 2023.

Limits of Liability: The planners, sponsors and host hotel owners, management and staff of the MSC Annual Meeting and its associated events claim no liability for the acts of any supplier to this meeting, nor for the safety of any attendee while in transit to, in residence at or in transit from this event. Attendees who purchase non-refundable airline tickets do so at their own risk. In the event of meeting cancellation, the total amount of liability of the planners and sponsors will be limited to a refund of the registration fee. Submission of the registration form acknowledges acceptance of these provisions

Hotel Information:

The Desoto Hotel is centrally located in Savannah, just steps from Savannah College of Art and Design and within a 10-minute walk of Forsyth Park. This 4-star hotel is 0.5 mi from Savannah Civic Center and the famous River Street restaurant and entertainment promenade. As much a part of Savannah as city squares and Spanish moss, The DeSoto blends the elegance, history, and charm of one of America's oldest cities with a playful dose of Southern spirit. Step inside this beautiful downtown Savannah hotel for foie gras and fried green tomatoes, or meet friends on the back porch for a "Sip & Stroll" walking tour.

The DeSoto Hotel Reservations:

A special block of rooms has been set-aside for MSC meeting participants. The preferred guest rate for MSC members is: \$185 (+tax)/night. The deadline for discounted room rates and space availability is when the block is filled or SEPTEMBER 18, 2023 - WHICHEVER COMES FIRST.

TO MAKE A ROOM RESERVATION FOR THE MEETING CLICK THIS LINK*:

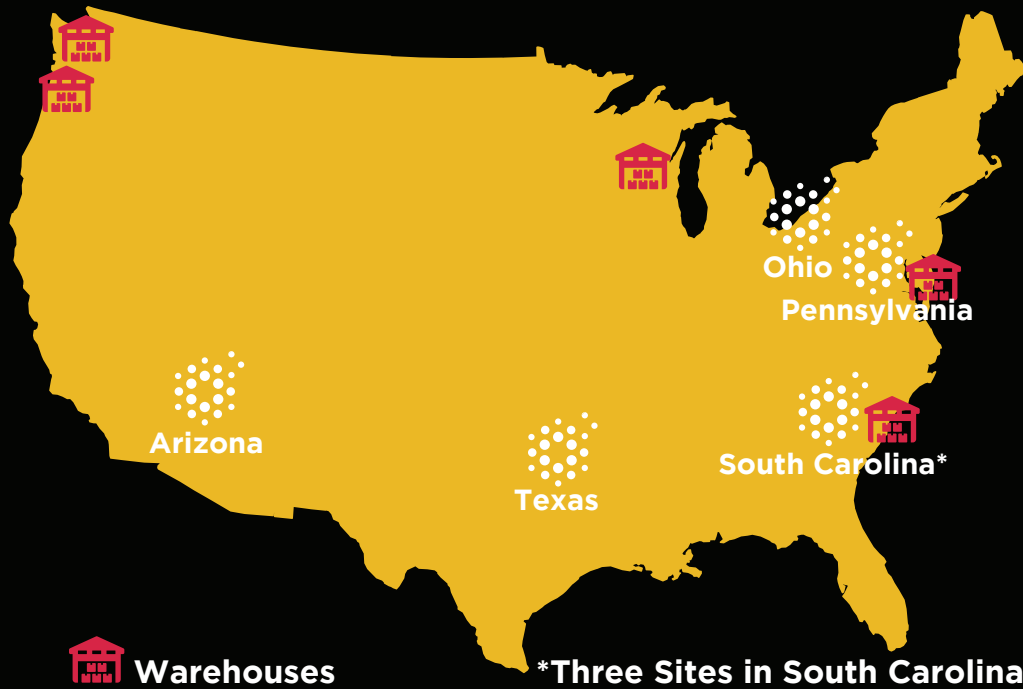
<https://www.phgsecure.com/IBE/bookingRedirect.ashx?propertyCode=SAVTD&group=MUL&arrivalDate=10-09-2023&departureDate=10-13-2023>

**If this link does not load when clicked, copy and paste it into your browser.*

TO DOWNLOAD A FORM TO REGISTER FOR THE MEETING: [CLICK HERE FOR FORM](#)



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FINAL CALL FOR HONORS NOMINATIONS



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

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

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

- Dr. Bill Fonteno, NC State Univ. — for his exceptional work as the program director of the MSC Product Certification Program.
- Dr. Kathryn Louis, Sun Gro Horticulture — in recognition of many years of service as a director, committee chair and president of the Council and exceptional leadership as president of the Mulch & Soil Research Foundation.
- Steve Jarahian, Oldcastle Lawn & Garden — in recognition of his many years' service as director, program chair, Certification Committee chair and president of the Council.
- Steve Titko, The Scotts Company — in recognition of his many years' service to the Council as a director and chair of the Standards Committee
- Carol Ledbetter & JC LaGasse, MSC – for their dedication of 16 years as the MSC certification program audit team.

LAST Call For Nominations

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

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

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

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

Where: The nominee shall reside within North America.

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

Nominations Deadline: Nominations should be submitted to membership@mulchandsoilcouncil.org by July 5, 2023. Please include a statement on why the person or organization is being nominated.

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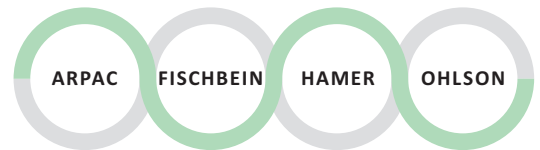
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ELECTIONS NOMINATIONS



The MSC Board of Directors currently consists of 12 member company representatives elected by the membership. Directors serve for 3 years with 4 director seats expiring in rotation each year. Directors serve without compensation or reimbursement for a minimum of 4 meetings a year. The MSC Nominating Committee is seeking nominations or volunteers as candidates for the 2023-2026 Director terms. Any official representative of a member company in good standing is eligible to be nominated or volunteer for elective office and/or serve on an MSC committee. Contact MSC Executive Director Robert LaGasse for details at 806.832.1810 or execdir@mulchandsoilcouncil.org.

###

LEGISLATIVE & REGULATORY NEWS

In a significant ruling, the Supreme Court delivered a welcome blow to the Environmental Protection Agency's (EPA) overreach of authority in May. The court's decision curtailed the EPA's ability to regulate vast expanses of wetlands, which will help combat unnecessary government intrusion and bolster property rights. Justice Samuel A. Alito Jr., writing for five justices, aptly pointed out that the Clean Water Act does not grant the agency the power to regulate discharges into wetlands unless they possess a "continuous surface connection" to bodies of water.

This latest decision marks a second setback for the EPA's authority and a broader challenge to the power of administrative agencies. In the previous year, the court already limited the EPA's jurisdiction to address climate change under the Clean Air Act, again reining in the agency's overreach.

Although the decision was technically unanimous, all the justices agreed that the homeowners who initiated the case should not have been subjected to the agency's oversight since the wetlands on their property were not subject to regulation in any



**The CROW
Political
Report**

**By David Crow
DC Legislative &
Regulatory Services**

WOTUS UPDATE

event. However, there was a divergence of opinion concerning the majority's establishment of a new test to determine the coverage of wetlands under the law.

Interestingly, Justice Brett M. Kavanaugh, joined by three liberal justices in a concurring opinion, expressed concerns that the decision might hinder the federal government's ability to address pollution and flooding. His argument, while well-intentioned, fails to recognize the potential adverse consequences of the Clean Water Act's expansive reach. By narrowing the act's coverage to only adjoining wetlands, as per the court's new test, some long-regulated adjacent wetlands will no longer fall under the Clean Water Act. This adjustment has significant benefits for water quality and flood control throughout the United States.

The case, *Sackett v. Environmental Protection Agency*, No. 21-454, centered around an Idaho couple, Michael and Chantell Sackett, who sought to build a house on a wet residential lot near Priest Lake in the state's panhandle. The couple faced obstruction from the agency after adding sand, gravel, and fill to their property in preparation for construction. Instead of accommodating the homeowners, the EPA ordered them to cease work and restore the property to its original state, even threatening substantial fines. Consequently, the couple took legal action against the agency, leading to a dispute that reached the Supreme Court in an earlier appeal. In 2012, the justices ruled in favor of the Sacketts, determining that their lawsuit could proceed.

Justice Alito had previously expressed concerns about the EPA's overreaching authority in a concurring opinion. He highlighted the ambiguous nature of the Clean Water Act, stating that any piece of land with intermittent wetness is at risk of being classified by EPA employees as wetlands subject to the act. This ambiguity grants the agency unprecedented control, leaving property owners vulnerable and at the mercy of bureaucratic discretion. In the end, all nine justices agreed that the EPA had exceeded its bounds in attempting to regulate the Sacketts'

###

FL SUSPENDS CHANGES TO SEASONAL FERTILIZER BANS



According to the *Tampa Bay Times*, Florida Governor Ron DeSantis allowed his recently approved budget to include a provision to prevent cities or counties from adopting new fertilizer bans which environmentalists claim are a necessary water quality tool designed to curb the type of toxic algae currently flaring up on Lake Okeechobee. Fertilizer is nutrient-heavy, so when it runs off into nearby waterways it can act as fuel for algal blooms. Fertilizer bans in summer months are meant to prevent that from happening – but do they actually do that?

Despite the public outcry from dozens of Florida environment groups, Gov. DeSantis declined to use his line-item veto on a measure that will suspend cities or counties from adopting or amending seasonal fertilizer restrictions after June 30 and until July 1, 2024. During that year-long period, University of Florida researchers will use \$250,000 to study the effectiveness of rainy season bans and submit their findings by the end of this year, before the start of next year's wet season.

In a text message, DeSantis spokesperson Jeremy Redfern underscored that existing bans are still in place, but said pausing new bans "ensures that fewer variables are introduced during the study period."

As a result of the legislation, the University of Florida's Institute of Food and Agricultural Sciences will focus on a literature review of more recent studies looking into urban fertilizer and environmental impact, according to Michael Dukes, director of the UF Institute's Center for Land Use Efficiency.

Dukes said he anticipates their findings will show more studies are needed to determine the relationship between nutrient losses and the use of fertilizer in urban areas. Existing studies on the effects of fertilizer leaving landscapes during the rainy season or otherwise, "are lacking," Dukes said in a statement.

"If science-based information is to be used to make policy, this needs to be understood in order to understand the effect of ordinances related to fertilizer," Dukes said.



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FLORIDA (Cont'd.)

“Also, this work will define gaps in knowledge and further research questions.” More than 100 municipalities across Florida, including more than 20 local governments in Pinellas, have used rainy season fertilizer bans as a tool to prevent souring the state’s waters.

###

APHIS IMPORTING/ EXPORTING?



The U.S. Department of Agriculture’s (USDA) Animal Plant Health Inspection Service (APHIS) reminds brokers, filers, forwarders, carriers, and other members of the importing community that an **APHIS Core Message Set for clearance** must be filed prior to moving cargo to Plant Inspection Stations (PIS) for inspection.

When submitting electronic information through the Automated Commercial Environment (ACE), a properly filed APHIS Core message set is required to be submitted along with any required documents in the ACE Document Imaging System (DIS). Failure to provide this information in the appropriate manner (electronic or paper) will result in cargo delays.

If the cargo is exempt from electronic submission, or a non-electronic means of clearance is being used, and the cargo must go to an APHIS PIS for clearance, then a properly completed PPQ 368 paper form and accompanying paper documents must be submitted for clearance of cargo.

APHIS recommends that importers submit both electronic information or paper documentation in advance of the cargo’s arrival, including products that meet U.S. Customs and Border Protection (CBP) requirements for *de minimis* exemptions. ACE and the APHIS Core message set provides for faster clearance. APHIS accepts the use of test Entry Type 86 for cargo meeting the requirements of CBP’s *de minimis* exemptions. For more on how to file an APHIS Core message set, please visit our website at www.aphis.usda.gov/ace. For information about entry types and their APHIS Core requirements, go to “[When to Submit an APHIS Core message set, by Entry Type, in ACE](#)”.

APHIS EXPORT (Cont'd.)

The APHIS Core Message Set Help Desk operates Monday through Friday, 8:00 am to 7:00 pm Eastern Time. You can reach the Help Desk by calling 1-833-481-2102 or e-mailing ace.itds@usda.gov. If you are inquiring about a rejection or error for your message set, please be ready with any error codes or a copy of the message set that was filed.

###



If you are recycling landscape and yard waste in MI, effective immediately, the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), in cooperation with the Michigan Department of Agriculture and Rural Development (MDARD), is establishing a quarantine for the box tree moth (BTM) in all of Lenawee and Washtenaw Counties and parts of Jackson and Monroe Counties, Michigan.

BTM is a destructive pest of boxwood (*Buxus* species). APHIS is taking this action in response to confirmed detections of BTM larvae in Lenawee County, Michigan. BTM was first detected in Michigan on November 2, 2022. Since the detection in late fall 2022, APHIS has worked with MDARD to restrict host movement, delimit the infestation, engage stakeholders, and conduct outreach. APHIS, MDARD, industry, and research partners are working closely to develop useful pest control tools.

APHIS is prohibiting the interstate movement of regulated articles of *Buxus* spp. from the entire Counties of Lenawee and Washtenaw, the County of Monroe west of US-23 and north of River Raisin, and the County of Jackson south of I-94 and east of US-127.

Regulated articles include the whole plant, all plant parts, pieces, cuttings, clippings, debris, and any portion of the plant, alive or dead. APHIS is taking this action to prevent the spread of BTM to the rest of the United States. These measures parallel the intrastate quarantine that MDARD established on April 10, 2023.

The attached Federal Order outlines the safeguarding measures required for protecting the industry from this pest. The Federal Order and additional information about BTM may be found at:

<https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/box-tree-moth>

For additional information, please contact the National Policy Manager, Allen Proxmire, at 480-392-8754 or allen.proxmire@usda.gov.

###

LABOR LAW ALERT



Federal Pregnant Workers Fairness Act Takes Effect: Federal employment law is about to give birth to some long-overdue requirements. As of June 27, 2023, employers with 15 or more employees must provide pregnancy-related accommodations to employees and applicants under the federal Pregnant Workers Fairness Act (PWFA). Below we'll refer to employees and applicants collectively as "employees."

Pregnancy Related Accommodations

Under the PWFA, employees are entitled to accommodations for a condition related to or affected by pregnancy, childbirth, or a related medical condition. The condition can be physical or mental. Pregnancy-related conditions include, among others, morning sickness, gestational diabetes, post-partum depression, and lactation.

This law expands employer obligations beyond what is *already* required by the Americans with Disabilities Act (ADA) in that being entitled to a pregnancy-related accommodation *does not require* that the employee's condition rise to the level of disability. Also, employees are entitled to accommodations even if they can't perform their essential job functions on a temporary basis.

Possible accommodations include but aren't limited to:

- Providing more frequent or longer breaks
- Modifying a food or drink policy

PWFA (Cont'd.)

- Providing seating or allowing the employee to sit more frequently if their job requires standing
- Observing limits on lifting
- Providing job restructuring, light duty, or a modified work schedule

Employers can't require an employee to take leave if a reasonable on-the-job accommodation is available. Like the ADA, the employer and employee should engage in the interactive process to determine what reasonable accommodations can be provided. However, if the employer is willing to grant the employee's request, the interactive process is not required.

Note that many states have already implemented pregnancy accommodation laws, some of which may be more generous than the PWFA. Employers need to apply the law—or the aspect of each law—that is most favorable to employees.

Undue Hardship Exception

Employers don't have to provide an accommodation if doing so would cause an undue hardship on the operation of the employer's business. Undue hardship is defined as "an action requiring significant difficulty or expense," the same as under the ADA. This is a high standard for employers to meet.

Action Items

- Add a pregnancy accommodations policy to your handbook if you don't already have one
- If you're subject to a state law that provides similar accommodations, make sure your policy captures the most employee-friendly aspects of the applicable laws
- Ensure that managers are aware of the law and types of accommodations that may be required

###

"COMP TIME" CAUTION



Can we use comp time with our employees? It depends. For *nonexempt* employees of a private employer, no. The Fair Labor Standards Act (FLSA) doesn't permit private employers to offer compensatory time ("comp time") in lieu of overtime pay.

You could offer time off to your *exempt* employees as a reward for working more than their typical work week, which is considered a form of "flex time," but there are downsides to doing this. First, your exempt employees may grow accustomed to being able to take time off when they work extra hours, and this may not be a desirable or sustainable practice for your organization. Second, tracking the hours of your exempt employees so you can reward them may be extra work for you and them. Third, formalizing a flex time system for exempt employees could create confusion about what they're owed because it could create a perception that they're compensated on an hourly basis.

Instead of creating a formal flex time system for exempt employees, it may be simpler to find other ways to reward them for working extra hours when needed.

###

SCOTUS UPHOLDS CA REGULATION, STATES' RIGHTS & ESG.

The recent ruling of the Supreme Court of the U.S. (SCOTUS) in *National Pork Producers v. Ross* (No. 21-468) has affirmed California's animal-welfare law that regulates the sale of pork products, including those produced out-of-state. *The 5-4 decision, although split among the Justices, upholds the authority of state and local governments to regulate the products sold within their borders based on the interests of their residents, even if these laws affect out-of-state producers. The majority opinion also recognizes a state's right to regulate based on ESG-focused interests.* However, the fragmented ruling raises



significant questions about future cases involving conflicting state regulations and discriminatory or protectionist intent.

California's Proposition 12, approved by voters in 2018, prohibits the sale of meat from pigs raised in a "cruel manner." The law defines cruelty as conditions that restrict a pig's movement and requires a minimum living space for the animals. Violations of Proposition 12 result in fines or imprisonment. The National Pork Producers Council and the American Farm Bureau Federation challenged the law, arguing that it discriminates against interstate commerce and imposes an undue burden on out-of-state producers who want to sell pork in California.

Despite these challenges, the Supreme Court upheld Proposition 12. The Justices, however, offered different opinions on the matter. Key takeaways from the ruling include:

1. **Affirmation of States' Regulatory Authority: The Court rejected the argument that a law is automatically unconstitutional if it has extraterritorial effects.** Justice Gorsuch, writing for the majority, explained that such an interpretation would undermine a wide range of existing state laws that impact behavior beyond state borders.
2. **Recognition of ESG Concerns: The Court was divided on whether Proposition 12's benefits for California residents outweighed the costs imposed on out-of-state economic interests. Justices Gorsuch, Thomas, and Barrett argued that courts should not analyze such cost-benefit considerations. Supporters of state ESG laws may view this decision as affirming a state's right to pass legislation based on its residents' interests, including animal welfare, morality, and public health.**
3. **Anticipation of Future ESG Regulations: Dissenting Justice Kavanaugh expressed concerns that the decision could set a precedent for other states to pass laws promoting ESG-related policies. He cautioned against states closing their markets to goods produced in ways that conflict with their moral or policy preferences.**

The ruling raises open questions regarding discriminatory impact and contradictory state laws. The Court did not address whether Proposition 12 discriminates purposefully or how it would fare against such a claim. It also did not clarify how its analysis would change if California's law conflicted with regulations from other states.

Justice Gorsuch emphasized Congress's power to preempt conflicting state laws through federal legislation. This implies that businesses should seek federal changes in state-level policy through democratic processes, such as engaging in Congressional advocacy or submitting public comments on proposed rulemakings.

In light of this decision, individuals and businesses interested in establishing a unified federal standard on relevant issues should actively participate in shaping federal law through democratic channels.

###

RR TIES USED FOR BIOCHAR?



The Federal Railroad Administration is seeking information on the potential uses and options for disposal or repurposing used creosote-treated railroad ties (CTRTs), including processing via a pyrolysis process to create biochar.

CTRts are the wood rail crossties that support railroad tracks. According to the FRA, the U.S. has approximately 207,000 miles of rail track, which equates to about 620 million crossties. Approximately 23 million of those CTRTs are replaced in the U.S. each year.

Traditionally, end of life disposal of CTRTs was primarily accomplished by burning them in waste-to-energy applications to produce electricity. Recent changes in U.S. EPA regulations and policy, however, limit the options for disposing of CTRTs through those facilities.

RR TIES (Cont'd.)

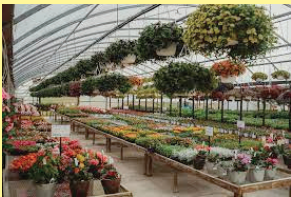
According to the RFA, recent research points to a pyrolysis process that can recover creosote and produce biochar from CTRTs. The agency is seeking information, public comments and feedback, including information about initiatives and pilot studies, on how CTRTs could be reused or repurposed as an alternative to landfilling, including information regarding the biochar process. RFA also said it is interested in potential uses for CTRT-sourced biochar.

A public comment period is open through June 26. Additional information is available on the Federal Register [website](#).

###

INDUSTRY NEWS

\$1B IN PERENNIALS



According to the 2022 National Agricultural Statistics Service Floriculture survey released this month, sales of perennials as reported by operations with more than \$100,000 in annual sales were an impressive \$1,092,951,000.00. That's not only a major milestone, but it's also a lot of perennials. In the 2019 Census of Horticultural Specialties, perennial sales were a respectable \$922,616,000.00. With the latest data, perennial sales have increased by \$170,335,000.00 or 15.58%, which is 5.19% per year over the past three years.

###

CSPMA ANNOUNCES PARTNERSHIP



To mark World Peatlands Day 2023, the Canadian Sphagnum Peat Moss Association (CSPMA) is happy to announce the securement of funding for a large-scale, five-year project aiming at restoring horticultural peat extraction sites. The CanRePeat project is realized in partnership with Environment and Climate Change Canada (ECCC) under the Nature Smart Climate Solutions Fund, which aims to restore and secure carbon-rich ecosystems across Canada.

The CanRePeat project has three principal components: (1) inventory and characterization of peatlands to be restored; (2) their restoration back to peat-accumulating ecosystems; and (3) their conservation in perpetuity. The peatlands being restored have not been subject to a legal obligation to restore at the time of their entry into operation. The CSPMA was successful in obtaining the full requested amount of \$6.7 million over 5 years (2023 to 2027). The funding formula is a 50:50 split, with \$3.37 million cash from ECCC and \$ 3.37 million from the CSPMA and its members as cash or in-kind contributions.

"CanRePeat is a historic partnership between the Government of Canada and the horticultural peat industry. Horticultural peat producers promote the responsible management of peatlands by providing leadership in social, environmental, and economic areas and we applaud the federal government for recognizing the industry's legacy, and commitment to peatland restoration. The Canadian horticultural peat industry has been investing in academic research for over 30 years to develop peatland restoration methods such as the Moss Layer Transfer Technique that are now applied across the globe and adapted by other Canadian industrial sectors. We already restore our sites as part of our best management practices and through the industry's own National Peatland Restoration Initiative," said Asha Hingorani, President of the CSPMA.

Peat harvested in Canada is exclusively used in horticulture, primarily as an important ingredient in growing media mixes used for food production and home gardening. Although the footprint of the horticultural peat industry is small (less than



Asha Hingorani
CSPMA President

CSPMA (Cont'd.)

0.03 percent of Canadian peatland area), the CSPMA acknowledged the importance of establishing best practices for peat harvesting and peatland restoration to ensure that this sensitive and valuable resource is managed with sustainability in mind.

"Canada's 1.1 million km² of peatlands is the second largest in the world and is responsible for storing approximately 25 percent of the world's carbon stocks. Canada's peatlands are also essential for retaining, purifying, and delivering fresh water, absorbing pollutants, and sustaining plants and wildlife. Supporting initiatives such as the Canadian Sphagnum Peat Moss Association's CanRePeat project is an important step towards restoring these sensitive yet critical ecological areas. By making investments through the Nature Smart Climate Solutions Fund, we are making progress toward Canada's efforts to transition to a net-zero economy by 2050, helping to stem biodiversity loss, and contributing to job creation in the green economy," said the Honourable Steven Guilbeault, Minister of Environment and Climate Change.

"The goal of peatland restoration after horticultural peat extraction is to re-establish the ecosystem's functions including their biodiversity and their ability to sequester carbon. Ensuring our activities are conducted in a responsible, sustainable way, which includes ecosystem restoration, has been a core value of the industry for over three decades," added Hingorani.

###

\$4M TO MODERNIZE WOOD HEATING



The U.S. Department of Energy's Bioenergy Technologies Office on June 2 announced the launch of \$4 million initiative that aims accelerate wood heater innovation and support the development of the next generation of efficient and clean wood heaters. The agency notes that approximately 11 million U.S. homes currently use cordwood or wood pellets for space heating. Although biomass is a renewable energy source, outdated and inefficient wood heating appliances create particulate matter (PM) emissions. The DOE estimates that cordwood and wood pellet heaters currently contribute to approximately 7 percent of the nation's total annual PM2.5 emissions.

To help reduce these emissions, Brookhaven National Laboratory and Lawrence Berkeley National Laboratory, with funding from BETO, are overseeing a Cooperative Research and Development Agreement (CRADA) to accelerate innovation in wood heaters and help develop a new generation of clean, efficient wood heating appliances.

According to the DOE, at least \$4 million will be made available for the competitively selected CRADA call. Up to four projects will be selected to participate, with a project duration of 12 to 18 months. Applicants are expected to provide 20 percent cost share of the requested funding.

Eligible projects include those that aim to improve the performance of commercial wood heaters through design optimization/modifications; develop and validate the performance of wood heater retrofit devices; develop and validate the performance of post-combustion wood heater technologies; and support field testing to better quantify heater performance, including advising on data collection best practices and equipment, interpreting data that is collected, and understanding how collected data could be used to improve heater performance.

An informational webinar is scheduled for June 16, with the deadline to submit concept papers set for Aug. 11. Final proposals are due Nov. 3. Additional information is available on the DOE [website](#).

###

Electric Vehicle Consumer Poll



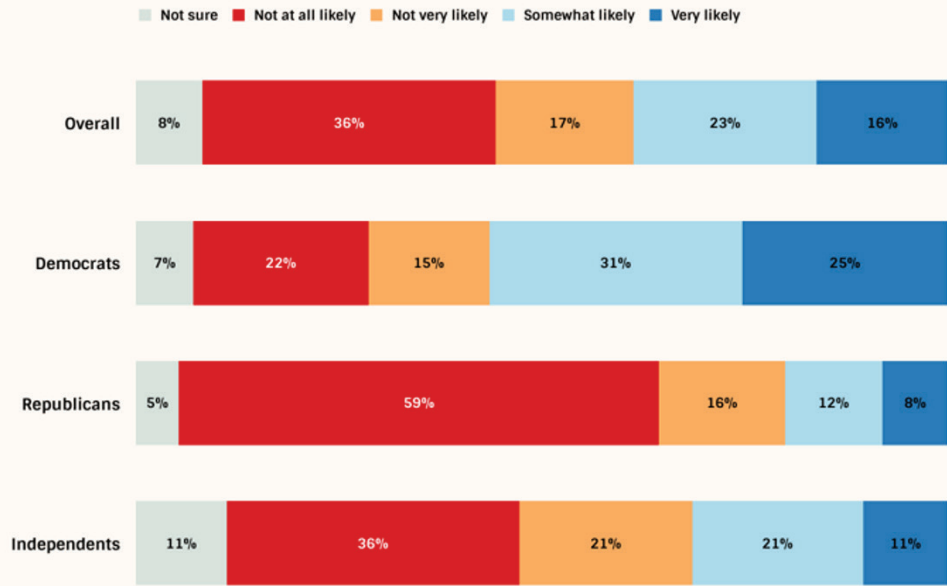
Policymakers inside the Biden administration have repeatedly assured Americans that electric vehicles (EVs) are an unavoidable and essential part of the "net-zero" carbon emissions world that they're trying to regulate into existence. But despite hefty subsidies and future bans of gasoline-powered cars, Americans aren't ready to jump on the EV bandwagon, the latest I&I/TIPP Poll shows.

For our most recent online public opinion poll of 1,412 drivers, taken from May 3-5, we asked a straightforward question of consumer intent: "How likely will you con-

Electric Vehicle Consumer Poll



Most Americans Won't Consider An EV For Their Next Vehicle



Q: How likely will you consider buying/leasing an electric vehicle for your next car?, IGI/TIPP Poll, 5/3 to 5/5, 1,412 drivers nationwide, +/- 2.6 PTS



sider buying/leasing an electric vehicle for your next car?"

Among those responding, 53% said they were "not likely" to consider an electric car, while 39% said they were "likely" to. The poll has a margin of error of +/-2.6 percentage points.

But, to spout an inevitable cliché, the devil once again lurks in the details. Just 16% of those answering the poll said they're "very likely" to consider an EV, versus 23% who said they were "somewhat likely."

On the other side, more than a third — 36% — said they were "not at all likely" to consider an EV. Another 17% said they're "not very likely" to do so.

But the breakdown of prospective buyers and non-buyers of EVs shows some interesting patterns. Those who are young are far more inclined to embrace the EV concept, with 51% of those 18-24 and 58% among those in the 25-44 year range saying they are "likely" to consider buying an EV. For the 45-64 and 65-plus age groups, the comparable "likely" answers are 30% and just 15%, respectively.

And if enthusiasm for EVs has a political face, it's definitely a donkey. Among Democrats, 56% say they're likely to buy an EV, compared to 20% of Republicans and 32% of independents.

Race is yet another interesting difference, and it's major. Just 32% of white Americans say they're likely to buy an EV, compared to 56% of blacks and Hispanics. Another demographic gap in EV enthusiasm: Gender. Only 30% of women said they're likely to get an EV, vs. 48% of men.

We asked another question about EVs, this time factoring in fuel costs: "How likely are you to consider buying/leasing an electric vehicle for your next car if electricity to run the car costs more than gasoline or fuel for a hybrid?"

The answers show significant sensitivity to costs. When the cost of electricity exceeds the cost of gasoline, the "likely" to buy an EV answer shrank to 32% from 39%, while the "unlikely" answer grew from 53% to 61%.

###

WORLD'S FIRST BIOMASS PIPELINE?



Northern Illinois University's Mahdi Vaezi is investigating the feasibility of constructing an innovative, first-of-its-kind biomass pipeline. The research project, supported by a \$650,000 award over four years to NIU from the U.S. Department of Agriculture, could lay the groundwork for the world's first biomass pipeline in the state of Maine, says Vaezi, a professor of Engineering Technology.

Simply put, biomass is renewable organic material that comes from plants and animals. It has been used to cook and stay warm since the dawn of humankind—think of a wood-burning stove or fireplace, for example. Biomass continues to be an important fuel in many countries, especially for cooking and heating in developing countries, according to the U.S. Energy Information Administration. The use of biomass fuels for transportation and for electricity generation is increasing in many developed countries as a means of avoiding carbon dioxide emissions from fossil fuel use.

Today's biomass feedstocks can include dedicated energy crops, agricultural crop residues, forestry residues, algae, wood processing residues and the organic components of municipal and industrial waste. Benefits from the use of biomass energy include reducing dependence on foreign oil, supporting U.S. agricultural and forest-product industries and the potential to greatly reduce greenhouse gas emissions.

The USDA grant will be used in part to purchase roughly \$100,000 in instruments and equipment for a new Waste Advanced Solution Technologies and Ecosystems Laboratory (WASTE Lab) in Still Gym, where a 30-foot, closed circuit prototype pipeline will be assembled in coming months.

In consultation with the Construction Management Institute of Maine, the project will include a case study of the techno-economy of large-scale and long-distance biomass pipelines, for a potential 10-mile long woodchips pipeline to supply a commercial port in Eastport, Maine. The woodchips would be pipelined in a slurry (a mixture with water) to the port and shipped to Europe.

In the past, the high cost of transporting biomass feedstock, most often by truck, has been a major barrier toward increasing the scale of biomass-based energy facilities. The current study will include technological and economic analyses to compare the pipeline hydro-transport of biomass with truck, train and ship transportation in short, medium and long distances.

"Pipelining is considered a near-zero emission process, which eliminates environmental and social issues associated with overland transportation," Vaezi said.

An added benefit of a pipeline system is that the biomass slurry can be heated to destroy contaminants or infestation that may be subject of biomass shipping regulations, Vaezi said. Once delivered, biomass could be screened to recycle water and moved to an open space, where it could be naturally or mechanically air dried at little to no cost.

In addition to wood chips, the NIU team will study the economic and mechanical feasibility of pumping sawdust and wheat straw water mixtures via pipeline.

###

MARCH WOOD PELLET EXPORTS



According to data released by the USDA Foreign Agricultural Service on May 4, the U.S. exported 909,787.1 metric tons of wood pellets (~1.7 million cu yd) in March, up 44% from the 632,043.8 metric tons (~1.2 million cu yd) exported in the previous month and 14% from the 801,396.3 metric tons (~1.5 million cu yd) exported in March last year.

The U.S. exported wood pellets to approximately 18 countries in March. The U.K. was the top destination for U.S. wood pellet exports at 366,797.5 metric tons, followed by the Netherlands at 256,477.6 metric tons and Japan at 102,742 metric tons.

The value of U.S. wood pellet exports reached \$169.43 million (~\$99/yd³) in March, up from \$117.99 million (~\$98/yd³) in February and \$127.33 million (~\$85/yd³) in March of last year.

Total U.S. wood pellet exports for the first quarter of 2023 reached 2.18 million metric tons (~4 million cu yd) a value of \$402.08 million (~\$99.75/yd³), compared to 2.09

Pellet (Cont'd.)

million metric tons (~3.9 million cu yd) exported during the same period of last year at value of \$312.69 million (~\$80.18/yd³). Additional data is available on the USDA FAS [website](#).

###

MEMBER NEWS

New Member Welcome



WOOD FIBER MACHINE FOR SUBSTRATE PRODUCTION

The Mulch & Soil Council is pleased to welcome the following new **PRODUCER MEMBERS**:

A Block Marketing, Inc.

Kenny Witt
855 E Golf Road #1133
Arlington Heights, IL 6005
kenny.witt@ablockmm.com

First Coast Wood Recycling

John Adams, Jr
1600 Northwood Dr
St Augustine, FL 32084
fcwr22@yahoo.com

Amidst the growing demand for wood fiber to complement soil mixes, **Premier Tech** introduces the [BPE Series Wood Fiber Machine](#). This **compact, robust, and energy-efficient** equipment allows for on-site production of wood fiber. The patented technology applies high pressure to the raw materials, generating heat above 100C, which produces and sanitizes fiber, meeting RHP standards.



[Watch the full product video here](#)

With a production capacity of up to 12 m³/h (16 yd³/h) and an expansion ratio of up to 1:3^r, it consumes 30% less energy than typical refiners, **resulting in significant cost savings**.

Various wood by-products can be used, including white softwood chips, forest residue, and compost wood. The produced fiber maintains its volume when mixed and has excellent water dispersion capacity for root development. For more information, visit ptchronos.com/wood-fiber-machine or email us at info@ptchronos.com.

**Depending on the raw materials, moisture content, and matrix.*

Photo: Wood Fiber Machine courtesy of Premier Tech System and Automation

###

PREMIER TECH OPENS MONTGOMERY TECH HUB

Premier Tech unveiled its new state-of-the-art headquarters in the United States for its Systems and Automation business group in Montgomery, Alabama. The completion of this \$33 million investment marks Premier Tech's commitment toward its customers and the U.S. market while strengthening its presence in this market. This comes just a few weeks after Premier Tech and its Systems and Automation business group announced a \$13 million investment for a new technology and manufacturing center in Salt Lake City, Utah.



The new 167 000-square-foot facility will become Premier Tech's new solution hub for its American-based clients allowing for increased reaction time and a more intimate and closer relationship. This will result in an enhanced customer experience and improved project execution.



"The opening of this world-class facility is the culmination of many months of hard work for our teams in Riviere du-Loup as well as here, in Montgomery, with the contribution of our local partners like Chambless King Architects. Our new U.S. headquarters reinforce our commitment to modernize our sites around the world and enhance our customer experience across the United States," says Simon Roy, president and chief operating officer of Premier Tech Systems and Automation.

"With key investment to increase the quality of our products, like powder coating, and the integration of a technical floor allowing for testing equipment at full speed and payloads as well as a dedicated training room for clients and team members, our new headquarters are setting the stage for growing our sales and delivering an even better overall client experience," says Jeffrey A Kotila, site director.

Since the launch of the modernization plan in 2020, 55 jobs have been created and 78 have been secured at the current Montgomery site - for a total of 133 production and office team members. The configuration of this new facility could foster further investments that would help double the workforce by 2028.

Premier Tech's presence in the United States goes back to the company's beginnings in 1923. One hundred years later, Premier Tech now has some 372 team members in 33 states and five manufacturing facilities highlighting its commitment to keep investing and growing its presence in the marketplace.

CERTIFICATION REPORT

CERTIFIED

Kellogg Garden Products
Kellogg Garden Products
Kellogg Garden Products

PREMIUM GROWING MEDIA

Near Source Organics All Natural In-Ground Garden Soil
Near Source Organics All Natural Indoor & Outdoor Potting Mix
Near Source Organics All Natural Raised Bed & Container


RECERTIFIED

Amerigrow Recycling
Amerigrow Recycling
Austin Wood Recycling, Ltd.
Austin Wood Recycling, Ltd.
Austin Wood Recycling, Ltd.
H&H General Excavating Co.
H&H General Excavating Co.
H&H General Excavating Co.
Homer Industries, LLC
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.

MULCH

Eco-Melaleuca Mulch
Premium Black Mulch
Texas Native Black Label Mulch
Texas Native Rojo Red Hardwood Mulch
Texas Native Royal Black Colored Mulch
Vigoro Premium Wood Mulch Black
Vigoro Premium Wood Mulch Brown
Vigoro Premium Wood Mulch Red
ColorScape Red Mulch
Professional Mulch Cypress Blend
Timberline Cedar Blend Mulch
Timberline Eucalyptus Mulch
Timberline Gold Mulch

Certified Product News

CERTIFIED PRODUCT	
	Premium Potting Soil
	Standard Potting Soil
	Landscape Soil & Soil Amendment
	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.

RECERTIFIED

Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
Oldcastle Lawn & Garden, Inc.
Phillips Bark Processing Co.
Sims Bark Co.
Sims Bark Co.
Sims Bark Co.
Whittlesey Landscape Supplies
Whittlesey Landscape Supplies

MULCH

Timberline Hemlock Blend Mulch
Timberline Pine Bark Mini Nuggets
Timberline Pine Bark Mulch
Timberline Pine Bark Nuggets
Timberline Shredded Hardwood Bark Mulch
Vigoro Premium Black Mulch by Oldcastle Lawn & Garden
Vigoro Premium Brown Mulch by Oldcastle Lawn & Garden
Vigoro Premium Red Mulch by Oldcastle Lawn & Garden
Gardenese Cypress Mulch Blend
Vigoro Premium Black Mulch by Sims Bark
Vigoro Premium Brown Mulch by Sims Bark
Vigoro Premium Red Mulch by Sims Bark
Texas Cut Hardwood Mulch
Whittlesey Enriched Hardwood Mulch

PREMIUM POTTING SOIL

Kellogg Garden Products
Kellogg Garden Products
Miracle-Gro Lawn Products, Inc.
Miracle-Gro Lawn Products, Inc.
Miracle-Gro Lawn Products, Inc.
Miracle-Gro Lawn Products, Inc.
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Miracle-Gro Lawn Products, Inc.
Miracle-Gro Lawn Products, Inc.
Miracle-Gro Lawn Products, Inc.
Oldcastle Lawn & Garden, Inc.
The Scotts Miracle-Gro Company
The Scotts Miracle-Gro Company

Kellogg Garden Organics All Natural Indoor Potting Mix
Patio Plus - All Natural Outdoor Potting Soil
Miracle-Gro African Violet Potting Mix 0.21-0.11-0.16
Miracle-Gro Cactus, Palm & Citrus Potting Mix 0.06-0.02-0.04
Miracle-Gro Cactus, Palm & Citrus Soil 0.13-0.03-0.07
Miracle-Gro Indoor Potting Mix 0.25-0.13-0.19
Miracle-Gro Moisture Control Potting Mix 0.21-0.11-0.16
Miracle-Gro Organic Choice Moisture Control Potting Mix w/Compost 0.18-0.10-0.12
Miracle-Gro Organic Choice Potting Mix 0.10-0.05-0.05
Miracle-Gro Organic Choice Raised Bed & In-Ground Soil w/Compost 0.09-0.06-0.07
Miracle-Gro Performance Organics All Purpose Container Mix 0.19-0.03-0.03
Miracle-Gro Potting Mix 0.21-0.11-0.16
Nature's Care Organic Incredible Expanding Planting Mix 0.29-0.19-0.29
Jolly Gardener Premium Potting Mix
Miracle-Gro Houseplant Potting Mix 0.22-0.09-0.18
Miracle-Gro Succulent Potting Mix 0.11-0.05-0.08

SPECIALTY SOILS

Miracle-Gro Lawn Products, Inc. Miracle-Gro Seed Starting Potting Mix 0.03-0.03-0.03

STANDARD POTTING SOILS

Whittlesey Landscape Supplies Potting Soil
Whittlesey Landscape Supplies Rose Mix

LANDSCAPE SOILS & AMENDMENTS

Kellogg Garden Products Amend Garden Soil for Flowers & Vegetables
Kellogg Garden Products Gromulch Premium Planting Mix & Mulch
Kellogg Garden Products N Rich Soil Enriching Compost
Kellogg Garden Products Topper Soil Prep & Seed Cover
Miracle-Gro Lawn Products, Inc. Miracle-Gro Garden Soil Roses .10-.09-.07
Miracle-Gro Lawn Products, Inc. Miracle-Gro Garden Soil Vegetables & Herbs 0.09-0.05-0.07
Miracle-Gro Lawn Products, Inc. Miracle-Gro Organic Choice Garden Soil 0.10-0.05-0.10
Miracle-Gro Lawn Products, Inc. Miracle-Gro Performance Organics All Purpose In Ground Soil 0.13-0.02-0.02
Miracle-Gro Lawn Products, Inc. Nature's Care Really Good Compost
Oldcastle Lawn & Garden, Inc. Jolly Gardener Premium Garden Soil

DECERTIFIED/WITHDRAWN

MULCH

Capital Forest Products
Capital Forest Products
Capital Forest Products

Vigoro Premium Black Mulch by Capital Forest Products
Vigoro Premium Brown Mulch by Capital Forest Products
Vigoro Premium Red Mulch by Capital Forest Products

Certified Product News

DECERTIFIED/WITHDRAWN

Oldcastle Lawn & Garden, Inc.
 Oldcastle Lawn & Garden, Inc.
 Oldcastle Lawn & Garden, Inc.
 The Scotts Company
 The Scotts Company

MULCH

Chief Select Mahaska Mulch Premium Hardwood Bark Mulch
 Mahaska Mulch Premium Red Cedar Blend
 Mahaska Mulch Radiant Red Mulch
 Scotts Nature Scapes Advanced Color Enhanced Mulch - Classic Black
 Scotts Nature Scapes Advanced Color Enhanced Mulch - Deep Forest Brown

PREMIUM POTTING SOILS

Miracle-Gro Lawn Products, Inc. Nature's Care Organic Potting Mix 0.06-0.04-0.06
 Miracle-Gro Lawn Products, Inc. Miracle-Gro Seed Starter Potting Mix 0.07-0.05-0.07
 Miracle-Gro Lawn Products, Inc. Nature's Care Organic Raised Bed Mix 0.06-0.04-0.06

LANDSCAPE SOILS & AMENDMENTS

Miracle-Gro Lawn Products, Inc. Nature's Care Organic Garden Soil 0.04-0.03-0.04
 Miracle-Gro Lawn Products, Inc. Miracle-Gro Garden Soil Flowers & Vegetables 0.09-0.05-0.07
 Miracle-Gro Lawn Products, Inc. Miracle-Gro In Ground Soil All Purpose 0.09-0.05-0.07

Mark Your Calendar



Join us in exciting Las Vegas for this very important industry specific training!

Topics will include:

- Fire Safety Best Management Practices
- Creating a Fire Action Plan
- Moving to a "predict & prevent" approach on equipment maintenance



Mulch & Soil Council

Plant Managers Training
 on Fire Safety & Equipment
 Maintenance

August 23, 2023
 Caesars Palace
 Las Vegas, NV



CLASSIFIEDS

2016 Rebuilt IMCO Elevator 60' Hopper and Trough

Manufacturer: IMCO

Year: 2016

Location: Scotts Hill, TN

Price: \$30,000

Contact: equipment@garick.com



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

2020 Hamer Side Sealer

Manufacturer: Hamer

Year: 2020

Location: Cumming, GA

Price: \$9,000

Contact: equipment@garick.com

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.



CLASSIFIEDS

Horizontal Form Fill & Seal bagger

Manufacturer: Nova Packaging, LLC

Year: 2010

Model: FFS001E

Serial No.: FS10-06006

Location: Cross City, FL

Price: ALL reasonable offers will be considered.

Contact: Mark West at The Mulch & Soil Company – 719-502-0111 or mwest@themulchsoilco.com

Other Information: Machine running well up to removal time. Upgraded top sealer 2018.



Amadas Semi-Automated Palletizer

Year: 2015 or 2016 (2 available)

Model: PL02

Price: \$50k 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



Lantech Q300 wrapper

Model: Q300

Serial #: QM029512

Price: \$12k

Location: Galivants Ferry, SC

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

Other Information: 120 V

