

NEWS, NOTES & QUOTES



National Newsletter of the Mulch & Soil Council

October 2024

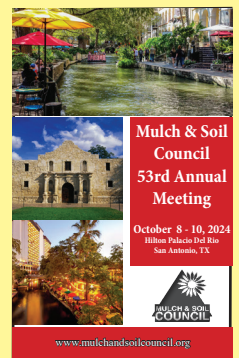
53RD ANNUAL MEETING REPORT

COUNCIL NEWS

The 53rd MSC Annual Meeting held October 8-10 at the Palacio Del Rio Hilton in San Antonio, TX, was another resounding success. Members and non-members from across the country gathered in person to set a registration record for the fourth consecutive year with 226 meeting participants. Our previous meeting in San Antonio was in 2019 when we had 174 participants which was also a record for registrations at that time.

Program Chair Jessica Bain (Garick, LLC) was recognized for producing an excellent educational program drawing widespread support from producers and vendors alike. Additionally, this year's meeting set new records for participation by new exhibitors and event sponsors eager to support the industry.

(NOTE: A web link to the presentation slides and audio recordings is on page 14.)




TUESDAY, OCTOBER 8:

Our meeting activities began Tuesday afternoon with MSC committee meetings. As is our custom, all committee meetings were open to any member who wished to participate as a nonvoting observer; so, in addition to committee and board members, there were multiple other members present.

CERTIFICATION COMMITTEE REPORT:

The MSC Certification Committee convened with members present from various subcommittees and legal representation. The minutes from the previous meeting were approved unanimously. Bob LaGasse presented a report indicating a rise in certified products from 256 to 298, despite 12 products being decertified this year. The committee approved the certification report after discussing the completion of all regional audits and the upcoming 2025 planning, noting Lowe's new requirement for Sta-Green mulches to be certified.

Financial reports showed a significant increase in revenues, with new product applications up and total revenues up year-to-date. The committee approved the financial report. The All-Natural Subcommittee discussed revised logo designs and updates to the all-natural ingredients list, particularly regarding the complexities of synthetic alternatives. They voted to further develop the all-natural mulch certification program, aiming for a comprehensive plan by the next board meeting in February. The next meeting is scheduled for October 30 via Zoom, with a subsequent full committee meeting on February 3 in Phoenix.

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BULK MEASURE COMMITTEE REPORT:

The MSC Bulk Measure Committee also held its meeting on October 8 led by Chair Ben Ballard. Key members attended either in person or via Zoom, including several member observers. The minutes from the previous meeting in July were unanimously approved.

Bob LaGasse presented findings from a member survey regarding bulk measurement practices, which will be featured in an upcoming NNQ Newsletter. Ben Ballard shared significant insights from recent experiments on bulk volume measurements, highlighting discrepancies in measurements taken at different stages — loader bucket ratings, after transportation, and upon delivery. The discussion included the EU’s volume testing protocols, which differ from U.S. practices, and the challenges surrounding bulk density conversions.

The committee examined the practicality of various electronic measurement methods, concluding that while these tools aid in volume determination, they are not yet suitable as a sales method for mulch. Additionally, a draft Best Management Practice (BMP) was reviewed, leading to a recommendation to remove a specific verification item. Several committee members committed to providing further data for ongoing research. The next meeting is scheduled for February 3, 2025, in Phoenix, before the meeting was adjourned.



MEET THE BOARD RECEPTION:

After the very successful introduction of the “Meet the Board” reception the last 3 years, this special event was continued under the sponsorship of the Premier Tech. Almost 150 people participated in this pre-meeting event, and we thank everyone who was there.



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WEDNESDAY, OCTOBER 9:

Wednesday morning is our traditional meeting time for the MSC Board of Directors. Again, any member in good standing and interested in participating as a non-voting observer is invited to attend, and a half dozen members were present in addition to the Board members.

BOARD OF DIRECTORS MEETING REPORT:

The Board of Directors meeting commenced with a roll call, followed by the approval of the minutes from the previous meeting held in July. President Weber expressed gratitude to attendees, highlighting the contributions of Jessica Bain and Kent Rotert for their efforts regarding the meeting arrangements.

Bob LaGasse provided a detailed Executive Director's report, outlining staff activities since the last meeting. Significant updates included discussions at the AAPFCO meeting on the All-Natural ingredient list, ongoing preparations for the annual meeting, and various member surveys. The financial status was presented through a line-by-line review of the September financial statement, leading to the approval of the financial report and the engagement of Carr, Riggs & Ingram CPAs for the year-end fiscal audit.

The Board discussed amendments to the Board Policy Manual, resulting in the unanimous approval of a waiver of notice for proposed changes and updates to the dues schedule and election procedures. The meeting proceeded with reports from various committees, including the Certification Committee, which is focusing on an all-natural mulch certification, and the Bulk Measurement Committee, which reported on survey findings and test data.

Legislative matters were also on the agenda, with updates on California's Beneficial Substances Law and the MDA's soil conditioner regulations. The Board agreed to monitor these developments closely.

Future planning included a review of the 2024 Plant Managers Training Course and discussions about the upcoming 54th Annual Meeting, scheduled for September 30 to October 2, 2025, in Orlando. The Board finalized future meeting dates, with the next one set for February 3-4, 2025, in Phoenix, AZ. The meeting concluded with a motion to adjourn, affirming the collaborative and productive nature of the session.



OPENING WELCOME:

Following lunch, MSC Executive Director Robert LaGasse opened the 53rd Annual Meeting with a call to order and introduction of Council President Jim Weber (Ohio Mulch) who gave the official welcome to all participants. Program Chair Jessica Bain (Garick, LLC) reviewed the program activities for the next 2 days, and MSC Legal Counsel John Hazard of Webster, Chamberlain & Bean reviewed the MSC Antitrust Policy for the meeting.



Jim Weber
MSC President



Jessica Bain
Program Chair

THE CROW REPORT:

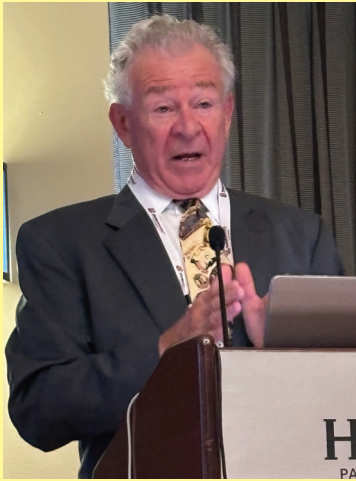
Bob LaGasse then introduced MSC Legislative Representative David Crow of D C Legislative & Regulatory Services in Washington, DC, who presented the industry favorite CROW POLITICAL REPORT.

The presentation provided a comprehensive analysis of the current political landscape in the U.S., particularly focusing on the upcoming presidential elections. Crow reflected on his extensive experience in Washington, D.C., highlighting his role in shaping national legislation. He began by acknowledging the evolving political dynamics within the Republican Party, stating that Donald Trump has effectively captured its essence.

David emphasized that the 2024 presidential election will be closely contested, likening it to the historical Bush-Gore election, where a mere 571 votes decided the outcome in Florida. He noted that while Trump lost the popular vote in 2016, his strategic wins in key states like Wisconsin, Michigan, and Pennsylvania were pivotal. Crow underscored that elections are fundamentally about state-by-state



David Crow
MSC Legislative Rep.



contests, particularly focusing on swing states that hold significant electoral votes. Throughout the presentation, David contrasted the political environment of 2024 with previous elections, noting the unprecedented events since the last election cycle. He discussed the chaotic political landscape, which includes Biden's surprising withdrawal from the race and heightened tensions due to international conflicts, such as the wars in Israel and Ukraine.

A central theme of Crow's analysis was the critical role of swing voters. He explained that these voters are less ideological and more concerned with everyday issues like inflation, crime, and border security. Crow argued that while Trump's core supporters remain unwavering, the swing voters' decisions will ultimately determine the election outcome. He described these voters as pragmatic, prioritizing their immediate concerns over partisan allegiance.

Crow also discussed the challenges facing Kamala Harris, the Democratic candidate, and how she must address pressing issues like immigration and crime to gain the trust of swing voters. He critiqued her performance in debates and argues that her inability to effectively communicate her policies may hinder her campaign. Furthermore, he highlighted that many Democrats did not vote in previous elections due to dissatisfaction with candidates like Hillary Clinton and Joe Biden, emphasizing the need for Harris to energize her base and appeal to the undecided voters.

Another significant point in the presentation is Crow's observation of the current media landscape and its impact on voter perception. He noted that the sheer volume of polls and their potential biases complicate the predictive landscape for elections. Crow argued that many polls fail to capture the nuances of voter sentiment, especially among those who do not regularly participate in elections.

In conclusion, Crow reiterated the importance of the swing states in determining the election outcome, identifying Pennsylvania, North Carolina, and Georgia as critical battlegrounds. He stressed that while Trump has a loyal base, he must demonstrate stability and competence to appeal to the undecided voters. Conversely, Harris needs to prove her capability to address key issues effectively. The overall message is clear: the 2024 presidential election will be a closely fought battle, hinging on the ability of both candidates to resonate with the essential swing voter demographic amidst a tumultuous political backdrop.

BUSINESS MEETING REPORTS & RECOGNITIONS:

The 53rd Annual Membership Meeting of the Mulch & Soil Council was well attended and moderated by Bob LaGasse. The meeting commenced with an acknowledgment of the Council's sponsors, who provided substantial financial support, categorized into diamond, platinum, gold, and silver levels.

MSC President Jim Weber delivered his report highlighting significant industry challenges, including a recent fire at a neighboring auto shredding facility. Weber emphasized the dangers associated with fires in industrial settings, particularly concerning the hazardous materials involved. He described proactive measures on best practices for fire prevention and management taken by the Council, recommending tours for local fire officials to educate them about the mulch industry's fire safety practices. He also updated members on last year's stormwater management strategies, showcasing a six-acre retention pond designed to meet environmental standards.

The treasurer's report provided insights into the Council's financial health, indicating total assets of \$900,851, with revenue streams primarily from annual meetings, certifications, and advertising. The Council reported a net revenue of \$91,805 for the fiscal year, with significant expenses allocated towards program activities.

Membership growth was another highlight, with the Council reaching its highest membership level in history, totaling 132 members, including various categories based on company size and function. Attendance at the annual meeting also set records, indicating increasing engagement within the industry.

The meeting addressed regulatory challenges, particularly concerning the certification of natural products and the potential implications of emerging regulations on industry practices. The Council is working on an All-Natural Product Certification Program to assist members in reaching out to new customers.

Significant awards were presented, including recognitions for director service, Program Chair activities and the John Lieber Distinguished Service Award (see later article on pages 15 & 16). All recipients were commended for their leadership and dedication, reflecting the Council's commitment to honoring its members.

The election results were announced, confirming the re-election of four directors for another three-year term (2024-2027):



*Bob LaGasse
MSC Exec. Dir.*



*Jim Weber
MSC President*



Tom Kohut
Grant County Mulch



Byron Morgan
Mountain West Products



Ricky Urteaga
Kellogg Garden Products



Jim Weber
Ohio Mulch

Finally, the meeting concluded with announcements about future events, including the next annual meeting scheduled for September 30 to October 2, 2025, in Orlando, Florida, fostering continued collaboration and support among Council members. The session wrapped up with an invitation to attend a reception and exhibit, reinforcing the community spirit of the Mulch & Soil Council.

AFFILIATE MEMBER RECEPTION & EXHIBITS:

The Wednesday opening reception had 30 Associate and Affiliate Member exhibits eager to discuss the latest industry products, technologies and services with the premier mulch & soil producers in the nation. Old and new customers were available to exchange information, ideas and needs to those who provide answers and equipment to our industry. Food and drinks were generously sponsored by Vermeer.



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Jessica Bain (r) & the Garick Team

THURSDAY, OCTOBER 10:

Our Thursday education sessions started with a great presentation by Dave Angelow, a business planning expert at Texas State University, who spoke on the ***“10 Keys to Success for Integrated Business Planning (IBP).”*** He emphasized the importance of integrating functional plans across an organization to avoid siloed optimizations that can harm overall success. IBP, he explained, ensures that all departments, from sales to finance, work from a unified strategy.

Angelow highlighted the critical role of executive leadership in driving IBP. Leadership must be actively engaged, setting clear goals and key performance indicators (KPIs) to measure success. He also stressed the importance of cross-functional collaboration, noting that a collective effort from all departments is essential for long-term success.

Customer-centric planning is key, with demand driving the IBP process. Angelow advocated for aligning plans across different time horizons—long-term, mid-range, and short-term—to ensure sustainability and capacity management. Establishing and tracking KPIs is crucial for improving forecasting accuracy and customer service levels.

Angelow advised celebrating progress and starting small, using one product line as a testing ground before expanding IBP across the business. He also encouraged businesses to use mistake-proofing techniques and scenario planning to manage risks. Finally, he discussed the role of automation in streamlining processes, noting that while technology helps, human oversight remains essential.

The presentation concluded with a checklist to help organizations assess their IBP process, emphasizing the need for leadership, collaboration, and data-driven decision-making to drive successful business integration.



David Angelo



Joel Gunn

Our next session was a great hit with members as Joel Gunn, an AI Specialist and Business Consultant, presented on [“Can AI Make My Team More Productive Today?”](#). His talk highlighted how AI is transforming productivity in the workplace, citing Microsoft’s report that 70% of users found AI tools enhanced both productivity and the quality of their work, with tasks being completed 29% faster. AI’s influence extends to workplace adoption, where 25% of employees have used AI, and 80% reported productivity improvements, though a significant number lack proper guidance on how to use AI effectively.

The presentation also touched on the mixed feelings AI evokes among the public, with 31% expressing worry and 20% feeling excited. Concerns centered on AI’s potential to displace jobs, increase security risks, and replace human creativity, especially in fields like art. Gunn emphasized that while AI holds great potential for businesses—improving efficiency, boosting sales, and driving innovation—there are still challenges,

particularly around job displacement and cybersecurity.

In closing, Gunn urged leaders to take a proactive role in championing ethical AI development. He called for fostering human-AI collaboration and preparing organizations for the growing role of AI in business, with a strong focus on security, accuracy, and trust.

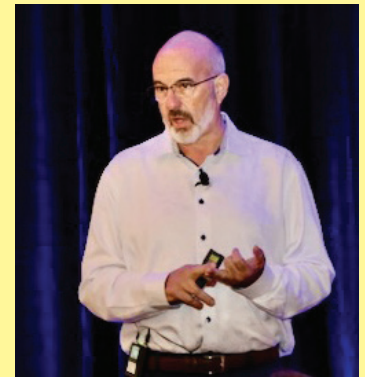
KEYNOTE PRESENTATION:

For our luncheon keynote presentation, Jeff Hoffman, a seasoned CEO and entrepreneur, underscores the critical role of “human capital” over financial resources in business success. In his presentation titled: [“Mastering Human Capital – The Real Key to Success”](#) Jeff shared insights from his journey in building successful startups, including Priceline and Booking.com, highlighting that business failures often stem from a lack of “innovation”, “talent”, and effective ideas, rather than financial shortcomings.

Hoffman emphasized the need to hire exceptional individuals, referred to as “rock stars,” rather than settling for average talent. He advocates for empowering teams, allowing them to take ownership and make crucial decisions that drive growth. Trusting employees is essential; leaders must step back and allow their teams to flourish.

Throughout his talk, Hoffman illustrated his points with personal anecdotes, demonstrating the importance of cultivating a “supportive company culture” where employees feel valued and engaged in a shared mission. He stressed that understanding and supporting the personal dreams and goals of employees enhances loyalty and performance.

Hoffman concluded by asserting that a company culture centered on “trust”, “empowerment”, and “shared success” not only attracts top talent but also fosters an environment where employees are motivated to contribute to the organization’s goals. By investing in human capital and creating a workplace that prioritizes personal and professional fulfillment, businesses can achieve remarkable growth and success.



Jeff Hoffman



FINAL SESSIONS:

After the keynote, a member panel discussed [“Reducing Costs & Improving Manufacturing Efficiency”](#). First up was Joe Ertel, President of Oldcastle Lawn & Garden Products, who presented an introduction to the Vorne XL system, focusing on its impact on manufacturing productivity. Vorne XL is an IoT-based device designed for monitoring and reporting in industrial environments, including tough areas like soil and mulch production. It integrates seamlessly with existing processes, providing real-time data to operators and managers through a simple installation process.

Ertel explained that the system allows operators to track production performance in real time, enabling immediate responses to downtime and other issues.



Joe Ertel
Oldcastle APG

With its browser-based interface, Vorne XL delivers over 100 actionable metrics, helping businesses reduce losses and improve efficiency. It requires minimal IT support and is highly durable, capable of withstanding harsh conditions. The system supports custom and built-in reporting tools, which help supervisors and managers make data-driven decisions to optimize production. Ertel emphasized the strategic value of Vorne XL in enhancing daily operations and long-term resource management. The session concluded with a Q&A, addressing audience questions about the device's implementation and benefits.



*Ben Ballard
Sylva Corp.*

Next, Ben Ballard of Sylva Corporation focused on bulk materials handling, specifically exploring cost efficiency and material compaction methods through various case studies. The presentation discussed key areas that impact the production, logistics, and sales of bulk materials, such as sourcing raw materials, processing methods, and evaluating the quality of these materials.

Ben provided a detailed vendor evaluation system, rating materials based on factors like the source, processing, and quality. He examined the compaction and handling of materials like mulch, emphasizing the importance of minimal contaminants and consistent particle size. Different methods for processing and stacking bulk materials are explored, with specific case studies on double grind improvements using various equipment like dozers, grinders, and stackers.

In addition to operational methods, the presentation dove into the effects of bulk volume compression during loading, transport, and storage. Ballard referenced load scanning technologies to track how mulch compacts and settles over time, showing that compression during loading can reach up to 10%. Various factors such as free-fall height during loading and travel distance contribute to settling, with mulch experiencing nearly 10% compression during transport.

This presentation underscored the importance of understanding material compaction to ensure accurate bulk material measurements and cost efficiency in transportation and handling. By comparing different methods of handling and demonstrating compaction with advanced scanning technologies, Sylva Corporation can optimize processes, enhance product quality, and reduce costs.

Our final presentation of the conference was a panel of highly experienced members on *“Enterprise Resource Planning (ERP)”*. Three MSC Member panelists—Cody Tilberg, TJ Cleveland, and Irene Ramos—shared their experiences with implementing Enterprise Resource Planning (ERP) systems, addressing a growing concern among industry members. Many companies are either considering upgrading their ERP systems or struggling with outdated ones. Cody, representing Garick, described their shift from a legacy customized system to NetSuite due to support issues and cybersecurity risks. TJ, the CFO at Austin Wood Recycling, transitioned from QuickBooks to N4 Sightline as their company



(L to R) Cody Tilberg (Garick, LLC), TJ Cleveland (Austin Wood Recycling) and Irene Ramos (Kellogg Garden Products)

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expanded, emphasizing the need for a more robust operating system. Irene, from Kellogg Garden Products, noted that their previous SAGE system was discontinued, necessitating a switch.

Each panelist reflected on the complexities of the transition process, highlighting that decisions about ERP systems often stem from a lengthy consideration period. For Cody, the decision-making process took nearly a decade, while TJ's company implemented their system in a rapid six-month timeline, which they later deemed too rushed. Irene's team engaged in a three-phase implementation that ensured careful planning and collaboration across departments.

Key considerations for selecting ERP systems included pricing structures, long-term reliability, and the need for cloud-based solutions. All panelists agreed on the importance of involving cross-departmental teams to foster buy-in and enhance the implementation process. They also stressed the necessity of effective training and clear communication to ensure team members could adapt to the new systems. Ultimately, they reported significant benefits post-implementation, including improved data access, increased efficiency, and better forecasting capabilities, suggesting that, despite the challenges, a well-executed ERP transition can lead to substantial operational improvements.

PRESIDENT'S HONKEY TONK HAPPY HOUR:

Our closing event was the President's Honkey Tonk Happy Hour generously sponsored by Viably. It was time to break out your cowboy boots and gear for some live music, a wine tasting and door prize while enjoying a final opportunity to network with other participants and recap the events of the meeting before returning home with renewed commitment for their business.



SPONSOR THANK YOU

We cannot thank our sponsors enough because their generous support makes it possible for the Council to continually expand and improve our meeting event at no additional cost to the meeting participants. We are proud to report the following sponsor support for our members:

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RECORDINGS AVAILABLE:



Mulch & Soil Council
 53rd Annual Meeting
 October 8 - 10, 2024
 Hilton Palacio Del Rio
 San Antonio, TX

MULCH & SOIL COUNCIL

www.mulchandsoilcouncil.org

Not all events had presentation slides, but those that did are all available for downloading and viewing as PDF files from the MSC website. Additionally, every presentation session was recorded and every audio recording is available as an PM3 file for downloading and playback. To download slide presentations and audio recordings of the 53rd MSC Annual Meeting program sessions, click the 53rd Annual Meeting review webpage link below and download the files you want:

[**53rd MSC Annual Meeting Review Link**](#)

COUNCIL AWARDS & RECOGNITIONS

Like most organizations, volunteers are the life blood of the Mulch & Soil Council. It is the members who donate their time and expertise to help guide the Council and its programs through Board or committee service or sharing information at MSC meetings and courses that allow the Mulch & Soil Council to have a positive impact on the industry. Each year, we take a moment to say thank you to a few special people who have made a difference for everyone in the Council.

Annual Meeting Program Chair Recognition:

For her outstanding service as the 53rd Annual Meeting Program Chair, the Board of Directors, membership and staff of the Mulch & Soil Council is pleased to recognize Jessica Bain of Garick, LLC, for her volunteer time, exceptional effort, and creativity to survey the members for what type of programming they wanted, finding the resources and talents to help inform and educate the members, and recruit experienced members to share their unique expertise on topics of importance and benefit to the specific needs of the members and the industry. We all **Thank You** Jessica.

At right is MSC President Jim Weber presenting the MSC Program Chair Recognition plaque to Jessica Bain of Garick, LLC, for the 53rd MSC Annual Meeting Program.



Board of Directors Member Service Recognition:

For their volunteer service as directors of the Mulch & Soil Council for the term 2021-2024, the following members received Certificates of Recognition & Appreciation for their dedication and sharing their time and expertise to travel to meetings and other events without compensation or reimbursement. We all **Thank You** for your selfless service to the Council and the industry.



LEFT: Director Tom Kohut of Grant County Mulch receives certificate from Council President Jim Weber.



LEFT: Director and President Jim Weber receives certificate from Council Executive Director Robert LaGasse



RIGHT: Director and Vice President Byron Morgan of Mountain West Bark receives a certificate from MSC President Jim Weber.



RIGHT: Director Ricky Urteaga of Kellogg Garden Products receives a certificate from Council President Jim Weber.

JOHN LEBER DISTINGUISHED SERVICE AWARDS

John Leber was president of Swanson Bark & Wood Products in Longview, WA. He joined MSC in 2004 and became a Board member in 2009. A former CPA, John became the perennial Treasurer of the MSC for 6 years running. He served on numerous committees. He was program chair for an annual meeting and always available to members who had a question. It was John's nature to be a mentor, and he represented the Council and the industry very well with other organizations.

In 2015, John and several employees were inspecting a storage area concrete block wall when the ground suddenly collapsed. John made sure his employees were safe but was injured by falling debris resulting in his untimely death.

To honor John and his exceptional record of dedication and service to his employees, the Council and the industry, the Board of Directors created the John Leber Distinguished Service Award as the highest honor we bestow on members of the council and industry for outstanding Service. This year, the MSC Board is pleased to recognize the exceptional contributions of 2 members.

KEN ALLEN

Ken joined the council in 2004 as the President of Hope Agri Products in Hope, Arkansas, before combining resources with Oldcastle Lawn & Garden where he is currently a Senior Executive.

Ken served on the MSC Board of Directors for more than a decade. He served on numerous committees and shared his expertise on annual meeting programs and panels. Ken is always willing to share his experience with all who are wise enough to seek it out. When the Council was lobbying to include mulch as an agricultural commodity, Ken was instrumental in contacting Congressmen and Senators who could help. Like John, Ken has devoted a lifetime to informing and mentoring people, improving and advancing the industry and representing the Mulch & Soil Council to other organizations in the best way possible.

That is just a sample of Ken's history of service to the Council and the industry, and the Board of Directors is pleased to present Ken Allen with the 2024 John Leber Distinguished Service Award.



MSC President Jim Weber (L) and Executive Director Robert LaGasse (R) present Ken Allen and his wife Cindy with the 2024 John Leber Distinguished Service Award.

DON DUGGER

Don Dugger came to the industry in 1988 as a plant manager and spent almost 35 years with the Scotts Company. While Plant manager in Lawrenceville, VA, Don expanded production operations to become one of the largest production facilities in the country, and he also held the longest unbroken record of more than 21 years without a reportable accident or injury. Before his retirement, Don was the Director of Growing Media Operations for the NE Region of The Scotts Company. Concurrently during his remarkable professional career, Don was in Public Service and was elected to the Broadnax Virginia Town Council since the age of 21 and has been its elected mayor for the past 10 years.

Don has been a very active volunteer for the Council: He has shared his safety expertise many times as a speaker or panelist at meetings. He conducted one of the first bulk measurement experiments with a state W&M office, shared that with the industry and has been an instructor at MSC Plant Managers Training programs for more than 20 years. More recently, Don has also become a regular instructor on Fire Management BMPs at Plant Managers Training Courses. Whatever we ask (and we have asked a lot), Don's answer has always been: Whatever You Need / Wherever You Want It.

That is just a sample of Don's history of service to the Council and the industry, and the Board of Directors is pleased to present Don Dugger with the 2024 John Leber Distinguished Service Award.



MSC President Jim Weber (L) and Executive Director Robert LaGasse (R) present Don Dugger and his wife Mary with the 2024 John Leber Distinguished Service Award.

LEGISLATIVE & REGULATORY NEWS

APHIS UPS USER FEES



On May 7, 2024, the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) published a final rule amending its Agricultural Quarantine and Inspection (AQI) program user fee regulations. APHIS reminds stakeholders that the new regulations and associated user structure will go into effect **October 1, 2024**.

The effective date for removal of the small aircraft exemption will be April 1, 2025. The user fee schedule and a link to the final rule are available on the [APHIS AQI User Fee web page](#). APHIS updated the web page on October 1, 2024, to reflect the revised regulations.

The AQI program uses a system of safeguards to facilitate the safe trade of agricultural commodities and protect U.S. agriculture and natural resources from invasive plant pests and animal diseases. APHIS and the U.S. Department of Homeland Security's Customs and Border Protection carry out AQI activities at all U.S. ports of entry. You can learn more about the AQI program on APHIS' [website](#).

INDUSTRY NEWS

LAWN & GARDEN FERTILIZER STUDY



The 2024 Axiom Lawn & Garden Fertilizer Study presents insights into consumer attitudes toward lawn fertilizers, with a focus on safety, environmental concerns, and product preferences. Key findings include:

1. **Safety Concerns:** Over 95% of respondents prioritize fertilizers that are safe for children, pets, and the environment. Many are also concerned about water pollution (70%) and the application of fertilizers and pesticides in parks and public spaces (61.5%).
2. **Ingredient Preferences:** 60.5% prefer fertilizers made from pet/animal feed ingredients over manures or synthetics. Safety is strongly associated with ingredients, with 75% willing to pay more for such fertilizers.
3. **Usage of Chemicals:** Despite safety concerns, 67% still use fertilizers containing weed killers or insecticides, though 65.2% view these pesticides as harmful.
4. **Natural/Organic Fertilizer:** Nearly half (47.6%) already use or plan to try natural or organic fertilizers, with a preference for plant-based or FDA feed-grade ingredients. However, cost and perceived ineffectiveness are barriers to greater adoption of natural pesticides.
5. **Retail Channels:** The top outlets for purchasing natural fertilizers include Home Depot, Lowe's, Walmart, and farm stores.
6. **Willingness to Pay:** 75.1% are likely to purchase fertilizers made from feed-grade ingredients, with nearly half willing to pay 10-20% more.

The report underscores a growing consumer focus on safety and environmental impact, but traditional fertilizers and chemicals still hold a significant share due to concerns over cost and effectiveness.

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MULCH ARTICLE

Landscape Management Magazine published a recent article by Rob DeFranco on “Why there’s more than meets the eye with mulch.” The article discusses the multifaceted benefits of mulch beyond its traditional uses in landscaping. While mulch is commonly recognized for its ability to suppress weeds, regulate soil temperature, and enhance water retention, experts from Colorbiotics and North Carolina State University emphasize its profound impact on soil health.

Bill Fonteno, a professor emeritus at NC State and former MSC Certification Program Director, highlights that mulch improves soil quality by facilitating the exchange of gases and promoting water infiltration through its pore spaces. As mulch decomposes, it contributes to the formation of topsoil, enriching the soil ecosystem without additional effort from landscapers. This is particularly crucial in urban environments where soil quality may be compromised. The article underscores the importance of incorporating organic matter through mulch to enhance soil fertility over time.

Additionally, Kent Rotert from Colorbiotics points out that mulch serves aesthetic purposes, adding color to landscapes while remaining safe for people and the environment. He advises landscape contractors to choose mulch from Mulch & Soil Council certified producers to ensure quality and sustainability. Overall, the article reveals that mulch is a valuable tool for improving both aesthetic appeal and ecological health in landscaping.

To view the article, [CLICK HERE](#).

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WHITE STUFF ON MULCH?

The white substance you often see on mulch is typically a type of slime mold, commonly referred to as “dog vomit” mold due to its appearance. This phenomenon is harmless to plants and plays a role in the natural decomposition process, feeding on decaying organic material in the mulch and returning nutrients to the soil.

Slime molds thrive in moist, shaded environments and can proliferate due to factors such as overwatering or high humidity. While their presence may be unappealing, they do not pose a threat to plant health. If the appearance of the mold bothers you, you can manage it by raking the mulch to improve air circulation, allowing the mulch to dry out, or manually removing the mold.

To prevent future occurrences, it’s advisable to maintain proper moisture levels, avoid excessive piling of mulch, and ensure good air circulation. For more detailed guidance on managing slime mold in your garden, you can refer to additional resources such as the [Davey Tree Blog](#) or landscaping websites.

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“Dog Vomit” Slime Mold on Mulch

HR Q&A

Election Day is almost here, so now is a good time to brush up on voting leave laws and make sure you’re posting any mandatory notices.

Voting Leave

Most states require that employers provide at least a few hours off to vote, and sometimes those hours need to be paid. Often these laws require very little advance notice from employees about their need for leave, so employers should be prepared to grant last-minute



HR Q&A

requests to leave work to vote.

If you're in a state with early voting, you may want to encourage employees to take advantage of that option—by offering the same time-off benefit—to reduce the number of absences on Election Day. The availability of early voting and absentee ballots, however, doesn't change an employee's right to vote on Election Day if that's their preference.

We encourage you to visit the laws pages on the platform to learn about the voting leave laws in the states where you operate. We also have a guide on the platform, *Managing Political Conversations and Supporting Employee Voting Rights*, that might be useful in the coming months.

Required Notices

California, DC, and New York also require that employers post a notice about employees' voting rights in a conspicuous location in the workplace. Employees who work from home or don't report to the workplace regularly should be provided with these notices electronically.

California

California requires the notice to be posted at least 10 days before the November 5 election—which is October 26, a Saturday. If you're closed on Saturdays, we recommend posting or sending this notice by Friday the 25th. California's notice can be found in English [here](#) and in other languages [here](#).

New York

New York requires the notice to be posted at least 10 working days before the November 5 election (this would be October 22 for a Monday through Friday workplace). New York's notice is available [here](#).

HR Q&A

Q: We've received complaints about an employee's hygiene. What should we do?

A: As with any sensitive topic, address the poor hygiene privately, empathetically, and directly with the employee. A compassionate and straightforward approach is usually best. Hold the conversation towards the end of the day so the employee doesn't have to spend too much of their workday feeling self-conscious. If this will be your first conversation with the employee about their hygiene, then there shouldn't be any need for discipline or a formal write-up. Simply explain to them how their hygiene is affecting the workplace, citing any relevant company policies.

Avoid speculating about the cause of the poor hygiene or offering suggestions for how to improve it. Instead, focus on expectations, and leave it to the employee to figure out how to meet them. On rare occasions, poor hygiene may be the result of an illness, medication, disability, or the consequence of a religious preference. If the employee brings up any of these things, you may need to consider whether offering an accommodation is appropriate.

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

HR Q&A

Q: An employee called out a few days ago by leaving a message with some vague information about being ill and hasn't followed up since. Can we consider this a voluntary resignation and start the termination process?

A: Most likely not. There are many reasons why your employee might not have been in contact since leaving the original message, and since they mentioned illness, there's a good chance their absence is protected by law. Potential protections

HR Q&A

come from the federal Family and Medical Leave Act (FMLA) and Americans with Disabilities Act (ADA), state-level family and medical leaves and disability protections, state or local sick leave laws, and state-paid leave programs that come with job protections.

Even if you have a job abandonment policy that says an employee will be treated as having voluntarily resigned after a certain number of days, this is not the time to use it. Since you know the absence started with a reason that may have protections and you did receive a call on the first day, it will be safest to hold off until you have more information.

We recommend trying a variety of ways to contact the employee to find out more about why they haven't been at work and when they expect to return. Try calling, texting, and emailing, and failing all that, send a certified letter. Document all attempts to reach the employee. If after an extended absence with no successful contact you decide to proceed with termination, detail your efforts to reach them in that communication. Be aware that if they finally do respond with an explanation that appears to be protected by law, you may ultimately need to restore them to their position.

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

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MEMBER NEWS

The Mulch & Soil Council is please to welcome our newest Producer Member:

New Member Welcome

TEXAS BEST MULCH

Contact: Brad Volker
502 W Montgomery St, Ste 251
Willis, TX 77378
brad@txbestmulch.com

Certified Product News

CERTIFICATION REPORT

As of October 2024

NEW PRODUCT MULCH

East Coast Materials Management	Sta-Green Premium Black Mulch By East Coast Materials
East Coast Materials Management	Sta-Green Premium Brown Mulch By East Coast Materials
East Coast Materials Management	Sta-Green Premium Red Mulch By East Coast Materials
Permagreen Organics Co.	Sta-Green Premium Brown Mulch by Permagreen Organics
Permagreen Organics Co.	Sta-Green Premium Red Mulch by Permagreen Organics
Permagreen Organics Co.	Sta-Green Premium Black Mulch by Permagreen Organics
Homer Industries, LLC	ColorScape Black Mulch

NEW PRODUCT PREMIUM SOIL

Miracle-Gro Lawn Products, Inc.	Miracle-Gro Organic Potting Mix 0.09-0.06-0.06
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RECERTIFIED MULCH

The Scotts Company	Earthgro All-Natural Mulch
The Scotts Company	Earthgro All-Natural Bark Nuggets
Superior Cedar Products, Inc.	Cedar Chips

RECERTIFIED MULCH

Superior Cedar Products, Inc.
Amerigrow Recycling
The Scotts Company
The Scotts Company
The Scotts Company
Hyponex Corporation
Hyponex Corporation
Hyponex Corporation
The Scotts Company
The Scotts Company
The Scotts Company
Great Gardens Soil
Great Gardens Soil
Margo State Line, Inc.
Margo State Line, Inc.
Margo State Line, Inc.
Swiss Farms Products, Inc.
Swiss Farms Products, Inc.
Swiss Farms Products, Inc.
Mountain West LLC
Mountain West LLC
Mountain West LLC
The Scotts Company
The Scotts Company
The Scotts Company
Terrace Brands
The Organic Recycler

Premium Cedar Mulch aka 100% Virgin Cedar
Hardwood Cypress Mulch Blend
Earthgro by Scotts Brown Mulch
Earthgro by Scotts Red Mulch
Earthgro by Scotts Black Mulch
HYPONEX by Scotts Red Mulch
HYPONEX by Scotts Brown Mulch
HYPONEX by Scotts Black Mulch
Scotts Nature Scapes Triple Shred Brown Mulch
Scotts Nature Scapes Triple Shred Red Mulch
Scotts Nature Scapes Triple Shred Black Mulch
Hampton Estates 100% Organic Mulch
Hampton Estates Antique Black Mulch
Vigoro Premium Red Mulch by Margo State Line
Vigoro Premium Black Mulch by Margo State Line
Vigoro Premium Brown Mulch by Margo State Line
Vigoro Premium Wood Mulch Black by Swiss Farms Products
Vigoro Premium Wood Mulch Black by Swiss Farms Products
Vigoro Premium Wood Mulch Black by Swiss Farms Products
Vigoro Premium Brown Mulch by Mountain West LLC
Vigoro Premium Red Mulch by Mountain West LLC
Vigoro Premium Black Mulch by Mountain West LLC
Scotts Nature Scapes Finest Classic Black Mulch
Scotts Nature Scapes Finest Deep Forest Brown Mulch
Scotts Nature Scapes Finest Sierra Red Mulch
Whitney Farms Organic Mulch
The Organic Recycler Hardwood Native Mulch

RECERTIFIED PREMIUM SOIL

The Scotts Company
Swiss Farms Products, Inc.
Miracle-Gro Lawn Products, Inc.
Swiss Farms Products, Inc.
Swiss Farms Products, Inc.

Scotts Moisture Advantage Premium Potting Soil 0.07-0.05-0.06
Vigoro All-Purpose Potting Mix 0.07-0.04-0.03
Miracle-Gro Raised Bed Soil 0.09-0.08-0.09
Green Thumb Moisture Manager Potting Mix 0.07-0.05-0.06
Green Thumb Premium Enriched Potting Mix 0.07-0.05-0.06

RECERTIFIED LANDSCAPE SOIL

Black Gold Compost Company
Black Gold Compost Company
Miracle-Gro Lawn Products, Inc.
The Scotts Company
Swiss Farms Products, Inc.
Miracle-Gro Lawn Products, Inc.
Swiss Farms Products, Inc.

Black Kow Cow Manure
Organic Brands Mushroom Compost
Miracle-Gro Moisture Control Garden Soil 0.09-0.05-0.07
Scotts Turf Builder Lawn Soil 0.08-0.03-0.02
Vigoro All-Purpose Garden Soil 0.05-0.05-0.03
Miracle-Gro Tree & Shrub Soil 0.09-0.05-0.07
Green Thumb Enriched Garden Soil 0.06-0.04-0.05

WITHDRAWN MULCH

Hyponex Corporation
Hyponex Corporation

Florida Select Red Eucalyptus Mulch
Brown Eucalyptus Mulch

Mark Your Calendar

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

CLASSIFIEDS

2020 Hamer Side Sealer

Manufacturer: Hamer

Year: 2020

Location: Cumming, GA

Price: \$9,000

Contact: equipment@garick.com

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



Hamer Volumetric Feeder Model 300VF

Manufacturer: Hamer

Model: 300VF

Year: unknown

Location: Cumming, GA

Price: \$39,000

Contact: equipment@garick.com

Other Information: Hardly used.



Toshiba 3-Phase Induction Motor

Model No.: B2006VLF4B3

Serial No.: 80604369

Type: TIKK

Form: VBK1

HP: 200

RPM: 1175

Volts: 460

AMP: 246

Location: Fredericksburg Virginia

Price: \$15,000

Contact: Norfleet Quality, Joe Worth at 540-419-7384

Information: Restrung/ Motor reconditioned on 9/4/20. Less than 100 hours since



CLASSIFIEDS

Amadas Semi-Automated Palletizer

Year: 2015 or 2016 (2 available)

Model: PL02

Price: \$10k or best offer

Location: Galivants Ferry, SC

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

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



Lantech Q300 wrapper

Model: Q300

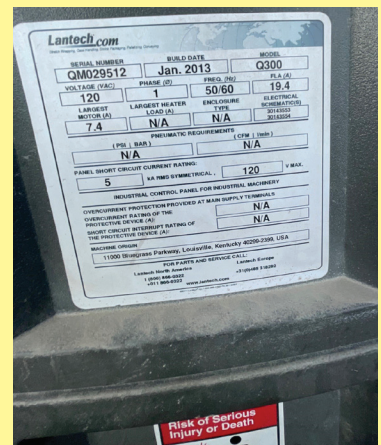
Serial #: QM029512

Price: \$3,500

Location: Galivants Ferry, SC

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

Other Information: 120 V



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Plan Ahead for a Great Family Vacation!