



Ohio Soybean Association Policy Update January 2024

National Policy Updates

Crop Protection - Staff at the Ohio Soybean Association took part in a meeting recently in which the US EPA said it will allow farmers to resume using chlorpyrifos insecticide on 11 crops in response to an appeals court ruling in November. The 8th Circuit Court of Appeals ruled that an earlier regulatory action taken by EPA last year to revoke all tolerances for the product was arbitrary. Soybeans are one of the eleven crops for which chlorpyrifos will be able to be used. EPA indicated it is already in discussions with the registrants on potential new restrictions on the use of chlorpyrifos based on geographic location, rate of application, farmworker and other vulnerable populations, and vulnerable species and their habitats.

Biofuels – After significant delay, the [U.S. Treasury released updated guidance](#) on the new 40B Sustainable Aviation Fuel Blender Tax Credit recently. The guidance provides a “safe harbor” for SAF producers registered to generate advanced biofuel RINs under the Renewable Fuel Standard and certified by a Quality Assurance Program. This means renewable diesel from soybean oil that is further refined into sustainable aviation fuel has a direct path to benefit from the new tax credit. Further clarification about how fuels will be scored on their carbon intensity is still forthcoming. An interagency working group comprised of the Departments of Energy and Transportation, FAA, EPA and USDA has committed to releasing an updated GREET model by March 1, 2024 that will align with the requirements of the tax credit. This updated model is expected to further account for emissions reductions from climate-smart agriculture practices and other technologies.

Communications – The Ohio Soybean Association recently led an effort to voice support for H.R. 3413/S.1169, the AM Radio for Every Vehicle Act. An OSA-led letter to Ohio’s Congressional delegation was joined by eight other Ohio Ag organizations. The AM Radio for Every Vehicle Act would require automakers to maintain AM broadcast radio in new vehicles at no additional charge. The letter to members of Congress stated many still rely on AM radio and the vital services it provides daily, pointing out AM radio is a source of weather, commodity, and national farm policy updates for our members. While millions of rural Americans still lack broadband service, rural and agricultural programming through AM radio helps keep rural residents apprised of news that may impact their businesses, health care, education, and family. The letter also pointed out that experts in the field of emergency management have said a lack of access to AM radio will put public safety at risk.

Disaster Assistance – The Ohio Soybean Association recently joined a number of agriculture groups from across the country to voice concerns over USDA's program guidelines for the Emergency Relief Program (ERP) for 2022. Two newly introduced ERP 2022 provisions outlined in program guidance released in late October would create progressive payment factors used to prorate payments and questionable methods for incorporating producer-paid insurance premiums in the program calculations. Neither of these provisions were part of ERP 2020 or ERP 2021, and both appear inconsistent with congressional intent of the enabling legislation. OSA sent a letter to Secretary Vilsack signed by more than 140 agriculture groups from across the country to outline concerns.

Ohio Policy Updates

Grain Marketing – The Ohio Soybean Association has been engaged with lawmakers concerning a proposal in HB 238, which would eliminate the Grain Commodity Tester Certificate issued by the Ohio Department of Agriculture (ODA). Current law requires individuals who conduct grain testing at elevators to qualify to do so by passing an examination and be certified by ODA. OSA raised concerns about the complete elimination of quality assurance measures for commodity testers and asked lawmakers to take a different approach. As a result, members of the House State and Local Government Committee amended language into House Bill 238 that requires testers to complete training based on USDA grain inspections standards every five years and for Department of Agriculture to maintain records of all individuals who have completed the training. The bill is still pending in the House committee. OSA continues to work with lawmakers and other stakeholders to ensure the proposal is workable for both producers and grain buyers.

Pesticide Regulation – An Ohio law, passed in 2022, that prohibits Ohio municipalities from regulating certain pesticides on private property is being partially revisited at the Ohio Statehouse. Lawmakers are considering an amendment that would provide an exemption from this prohibition if the local government is subject to Ohio EPA's Source Water Assessment and Protection (SWAP) Program. The SWAP program is designed to assist municipalities to take steps to avoid chemical spills in the areas surrounding a well field or upstream from a surface water intake, a community can help reduce the costs of their water and better ensure a safe and high-quality supply of drinking water. OSA is working closely with a number of stakeholders to ensure the proposed law change does not have negative consequences for agricultural pesticide applicators.

Water Quality - Gov. Mike DeWine and members of his cabinet formally unveiled the H2Ohio Rivers program – an offshoot of the state's signature water quality effort that will leverage expanded state funding to test for forever chemicals and address failing dams. As part of the effort, Ohio will become the first state to undergo a statewide survey to detect potential per- and polyfluoroalkyl substances in its large rivers. Those "forever" chemicals are manmade substances thought to be linked to health concerns, including cancers. OEPA and ODNR will oversee funding awards for dam removals across the state. The first to receive support from the program is in Miami County where dams in Troy and Piqua will be removed or modified. ODNR will also oversee a survey of freshwater mussels.