

# GET REAL



# **The Mayhaw**

Out of the Swamp  
and Into  
the Orchard

**LSU**  
**AgCenter**  
Research & Extension













## Mayhaw Party Punch

- 2 gallons mayhaw juice
- 4 quarts pineapple juice, unsweetened (almost 3 46-ounce cans)
- 8 cups sugar
- 3 packages strawberry fruit drink mix (about 4 teaspoons)
- 4 liters ginger ale or lemon-lime carbonated beverage
- Pineapple sherbet (optional)



Mix all ingredients except ginger ale. Chill. Add ginger ale when ready to serve. Add 1/2 gallon pineapple sherbet to punch bowl to make it special. Or, add ice ring with cherries or other garnishes. Makes about 125 punch cups (4 oz.) without sherbet. Each serving provides 110 calories, 27.5 gm carbohydrate, 5.2 mg vitamin C.



## Luscious Mayhaw Syrup

Prepare juice as for jelly stock. Make a delicious syrup for pancakes, french toast, waffles, pies and for a flavorful ingredient in salad dressing, meat sauces and other dishes.

### For Syrup:

1 1/4 cups juice  
1 1/2 cups sugar  
plus  
1/4 cup white  
corn syrup\*  
(or 1/4 cup  
more sugar)



Mix ingredients in saucepan large enough for mixture to boil freely. Stir to dissolve sugar. Bring to a full rolling boil that cannot be stirred down. Boil about 7 or 8 minutes, or to 220 degrees F on candy thermometer. Remove from heat, skim with a metal spoon and pour into sterilized syrup bottles or jars; seal and refrigerate.

## THE MAYHAW TREE IS THE OFFICIAL STATE FRUIT TREE IN LOUISIANA.

It belongs to the family *Rosaceae* and is considered native to the southeastern United States. Mayhaw blooms in February and March (Figure 1), and the fruit is commonly used to make jellies (Figure 2). In Louisiana, the gross farm value for mayhaw decreased to \$880,161 in 2020 as compared to \$1.25 million in 2019. Mayhaw was cultivated on 191 acres statewide in 2020, down from 239 acres in 2019.

The total mayhaw fruit production significantly decreased to 588,752 pounds in 2018 as compared to 972,579 pounds in 2017. Louisiana's hot and humid weather provides conducive environmental conditions for development and spread of fire blight (Figure 3) and quince rust (Figure 4), two major diseases of mayhaw. These diseases are best managed by implementing an integrated approach, including fire blight resistant varieties, good cultural and sanitation practices, and judicious use of fungicides.

Currently, the active ingredient aluminum tris is labeled for managing fire blight on nonfruit bearing trees. Mono- and dipotassium salts of phosphorus acid is labeled for managing fire blight on both bearing and nonbearing fruit trees. Four fungicides labeled for quince rust only provide variable disease suppression. These diseases present a major challenge in mayhaw production. A preliminary disease survey conducted in mayhaw orchards located in Jackson, Louisiana, during May to October in 2019, revealed that the fire blight incidence varied from 40%-80% on Spectacular



Figure 1. A mayhaw tree blooms during spring.



A two-year field study was conducted to determine the efficacy of Cueva (copper octanoate) and Double Nickle (*Bacillus amyloliquefaciens* strain D747) for managing fire blight and quince rust development on mayhaw. Three orchards, including two cultivated orchards (A and B) and one noncultivated orchard (C) located in Jackson, Louisiana, were used in this study. Disease severity data was collected and analyzed to determine the success of the spray programs.

Mayhaw trees in cultivated orchards A and B were pruned in January of 2021 and 2022. Copper hydroxide (Kocide 3000) was applied to all trees in cultivated orchards A and B in mid-January during both years. Additionally, Rally 40WSP (myclobutanil) was applied to all trees in cultivated orchards A and B at three different intervals starting in mid-February through late March during both years. Three applications of Cueva (copper octanoate) and Double Nickle (*Bacillus amyloliquefaciens* strain D747) were made in cultivated orchards A and B starting mid-February through late March during both 2021 and 2022. The number of trees receiving various treatments in each orchard are shown in Table 1. All trees in noncultivated orchard C were not pruned and neither received any of the above said treatments.



Figure 3. This mayhaw tree branch terminal exhibits typical symptoms of shepherd's hook caused by fire blight disease.

Data on disease severity was collected weekly during both years. Data was collected visually on four sides of each tree. A total of 40 (10 on each side) branch terminals were randomly scored for fire blight symptoms. Similarly, 40 berries (10 on each side of a tree) were randomly scored for quince rust development. Percent disease severity data was calculated and analyzed to determine the success

## 2021 Fire Blight Severity

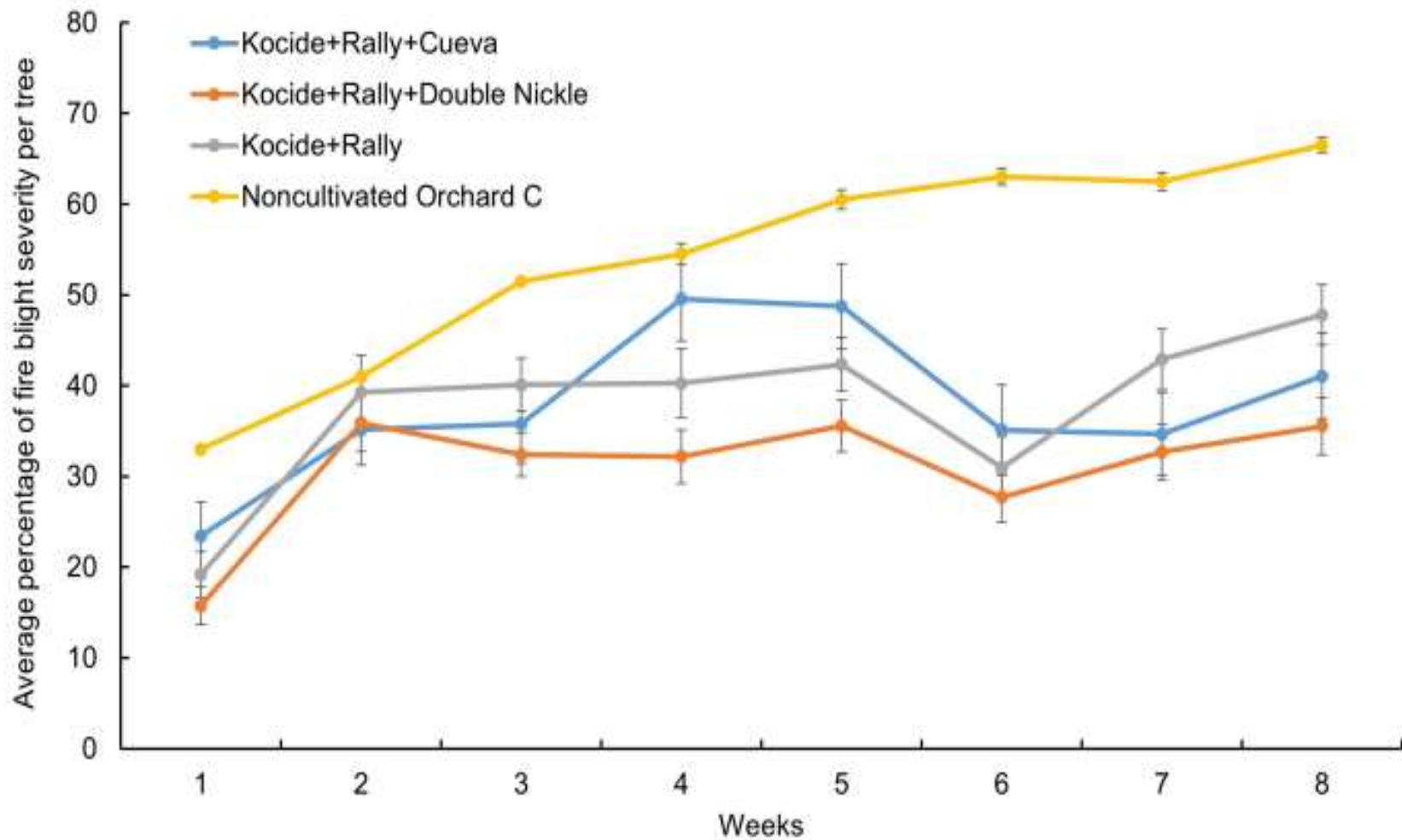


Figure 5. A line graph representing average percentage of fire blight severity on mayhaw trees during the 2021 growing season.

## 2021 Rust Severity

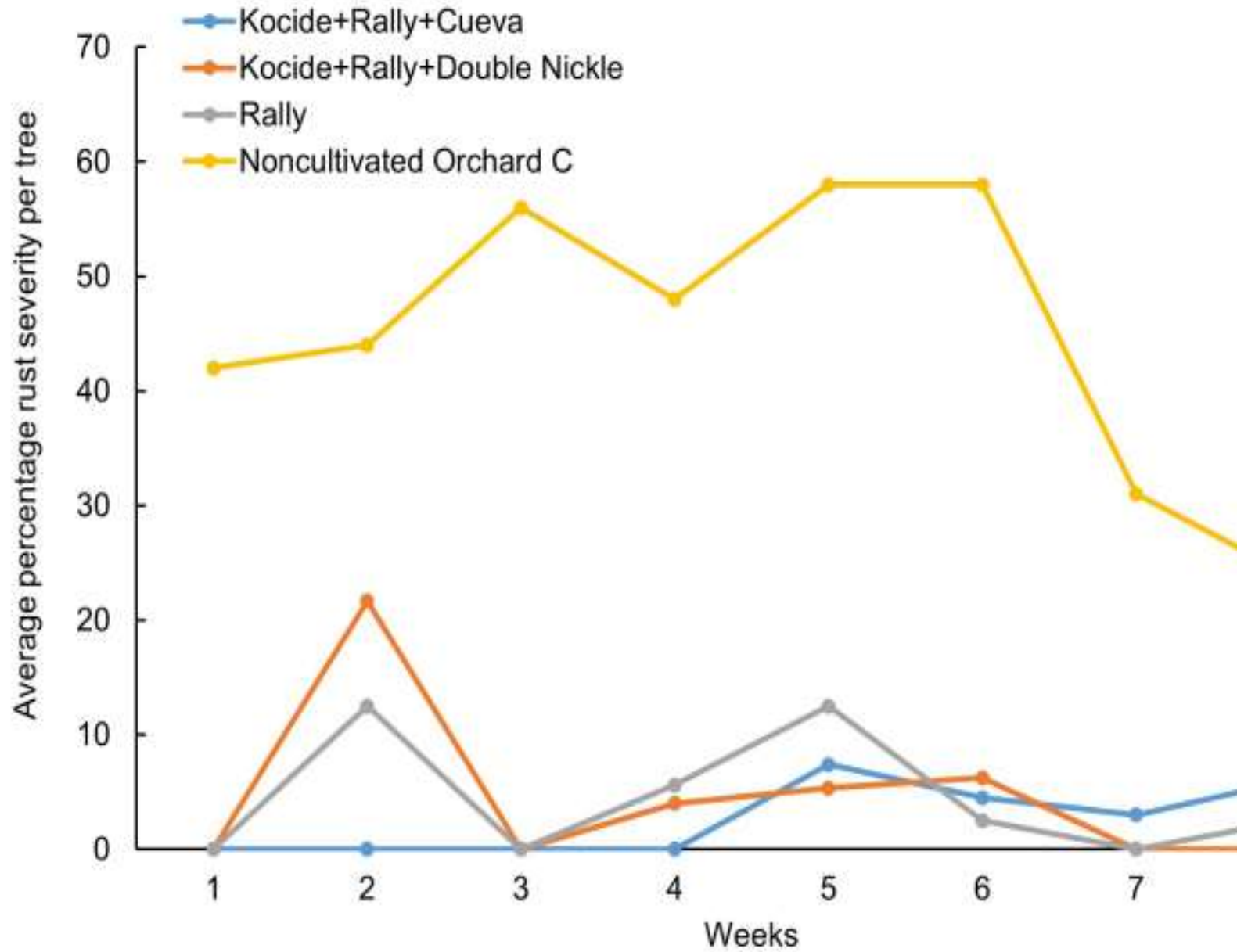


Figure 6. A line graph representing average percentage of rust severity on mayhaw trees during the 2021 growing season.



**CERTIFIED  
LOUISIANA**

A LOUISIANA PRODUCT



**Certified  
Cajun**

A LOUISIANA PRODUCT



**CERTIFIED  
CRAFT BEVERAGE**

A LOUISIANA PRODUCT



**CERTIFIED  
CREOLE**

A LOUISIANA PRODUCT



**CERTIFIED  
FARM TO TABLE**

A LOUISIANA PRODUCT

## Application Process and Product Verification

Applications for use of the logos can be submitted online. A non-refundable \$25.00 application fee shall accompany each application. Applicant's proposed use of the logo shall be included in the application and is subject to review and approval by the department. Within 30 days of receipt of the application, the department shall either grant or deny the

applicant's request to use the logo(s). Upon approval of an application, a registration fee of \$30.00 per logo shall be paid to the department. After receipt of the registration payment, the department shall provide the registrant a certificate of registration and a digital file of the logo(s) suitable for reproduction.

[APPLY NOW](#)

# CERTIFIED LOUISIANA



# IT IS THE FUNDAMENTAL DUTY OF MANKIND TO FEED THE WORLD



## **2 Thessalonians 3:10**

imitate us. <sup>10</sup> For also, when we were with you, this we declared to you: that, if any man will not work, neither let him eat.



# Flours & Grains

Anything but run-of-the-mill.



[BLUEWATER](#) [OUR TEAM](#) [PORT MAPS](#) [PORT INFO](#)



[WEATHER](#) [PILOTSHEET](#) [LOCATE VESSEL](#)

## ADM Grain Co., - Ama

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COMPAN  
STE. IT MATTERS.





LeMoine Family Kitcher





# CRAWFISH







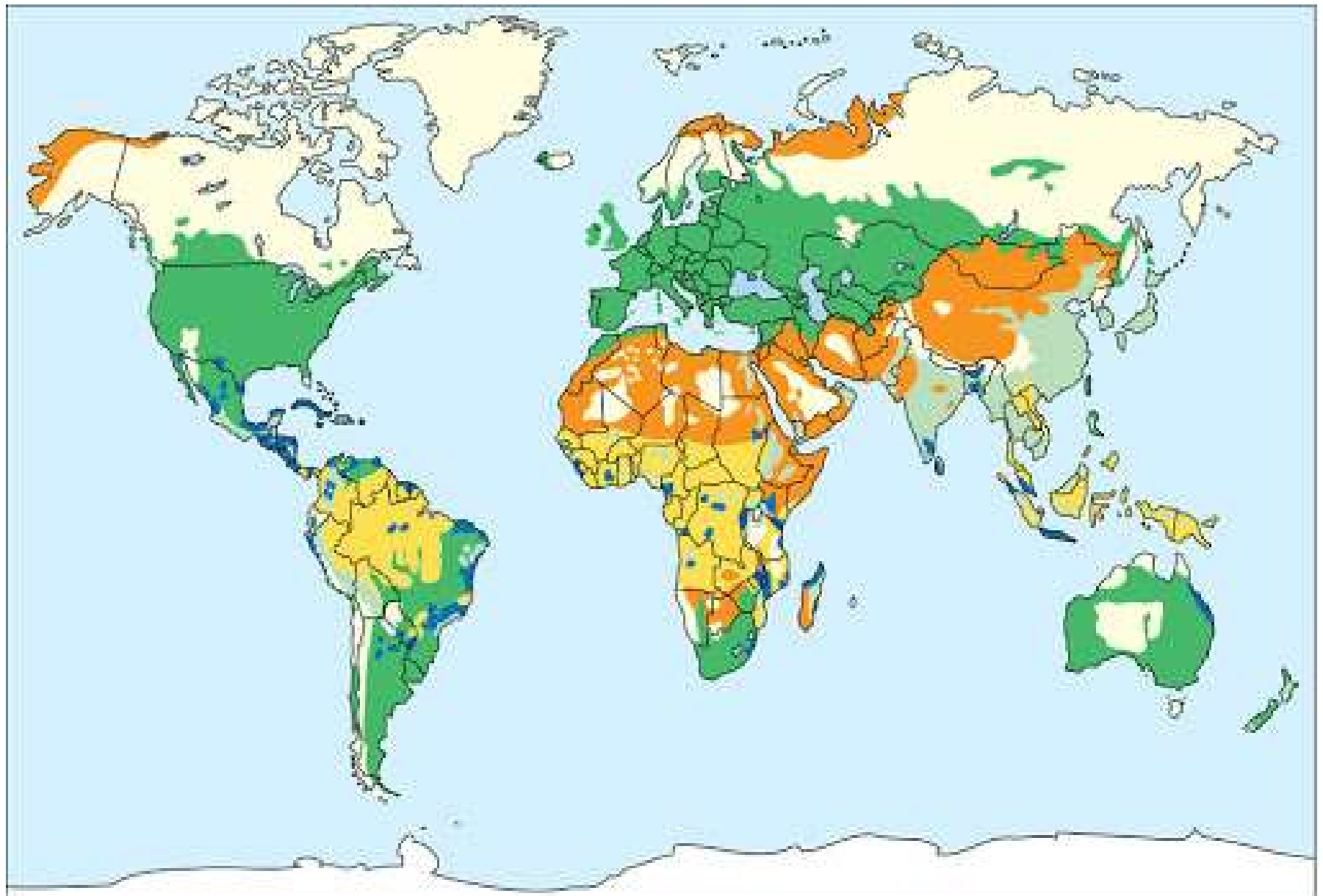
# NEVER BEFORE IN THE HISTORY OF MANKIND HAVE SO MANY PEOPLE BECOME DEPENDENT ON SO FEW.

- Civilization as we know it began with a grain of wheat.



- Civilization as we know it now depends on the grains of wheat (modern agriculture)





Industrialized agriculture

Plantation agriculture

Intensive traditional agriculture

Shifting cultivation

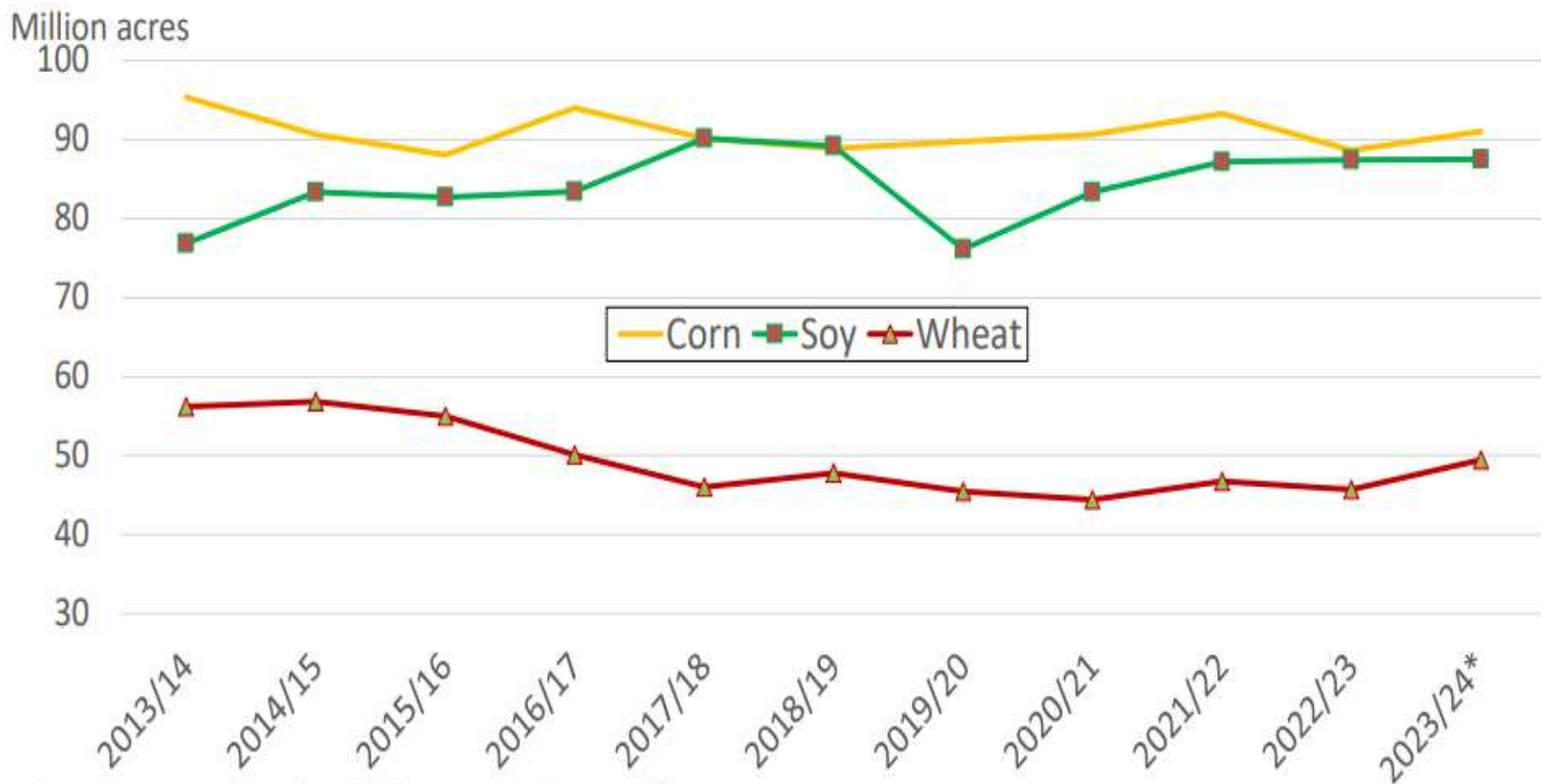
Normadic herding

No agriculture

# FARM BILL



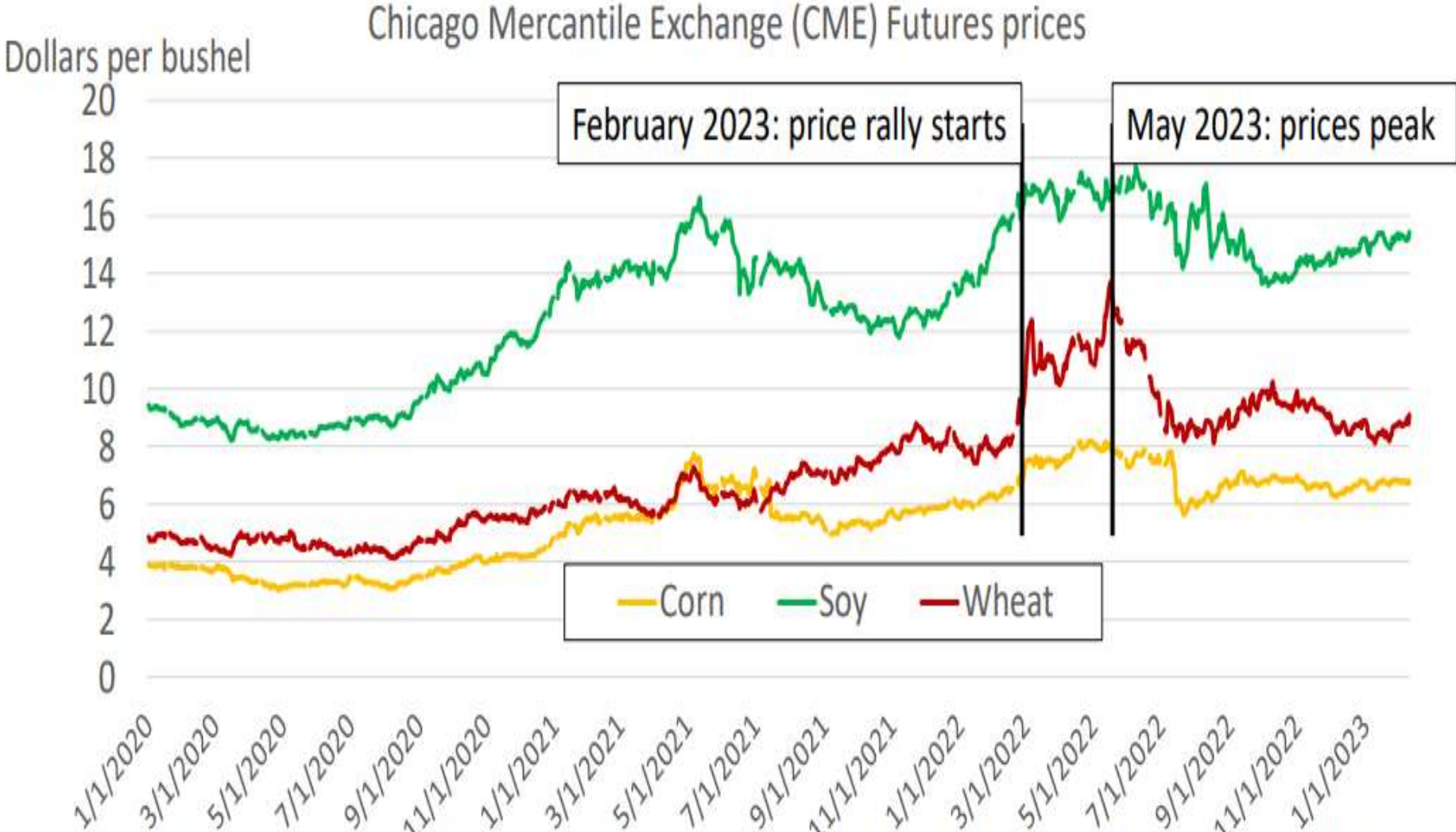
# Planted Area Forecasts by Commodity



\*Denotes Agricultural Outlook Forum preliminary forecast.

Source: USDA, National Agricultural Statistics Service; USDA, World Agricultural Outlook Board.

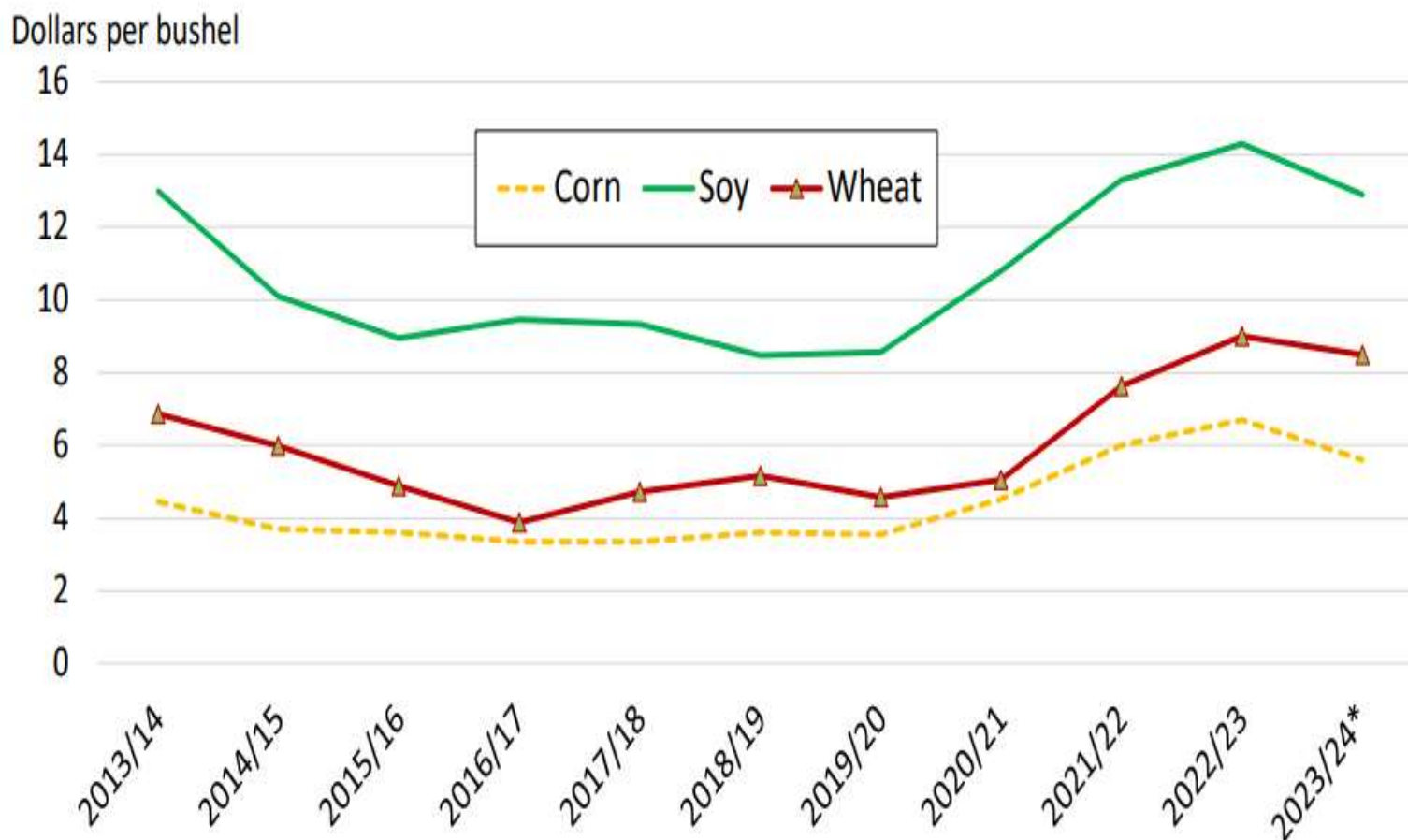
# U.S. Futures Prices Elevated, but Down from Peaks



Notes: Presented are futures prices from the Chicago Mercantile Exchange (CME), continuous futures. Wheat is Hard Red Winter.



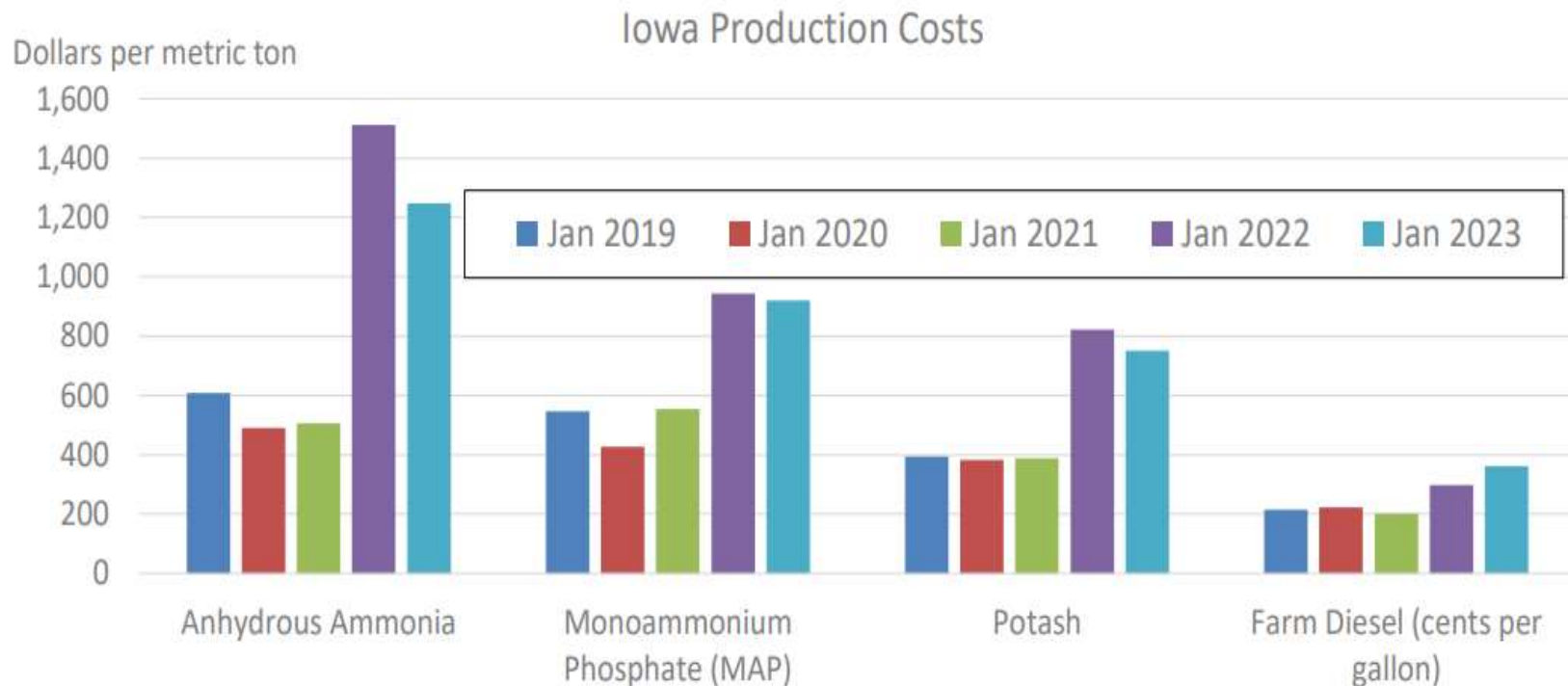
# Projected 3-Crop Prices Lower, but Still Elevated



\*Denotes Agricultural Outlook Forum preliminary forecast.

Source: USDA, National Agricultural Statistics Service; USDA, World Agricultural Outlook Board.

# Some Farm Expenses Down Slightly, but Still Elevated



Notes: Report is biweekly. Data presented are the average offers for the last data point in January. MAP = monoammonium phosphate, 11% nitrogen, 46% phosphate. Potash is red (0-0-60); Farm Diesel is sales less than 1,000 gallons.

Source: USDA, Agricultural Marketing Service, *Iowa Production Cost Report*, NW\_GR210.



# Commodity Prices

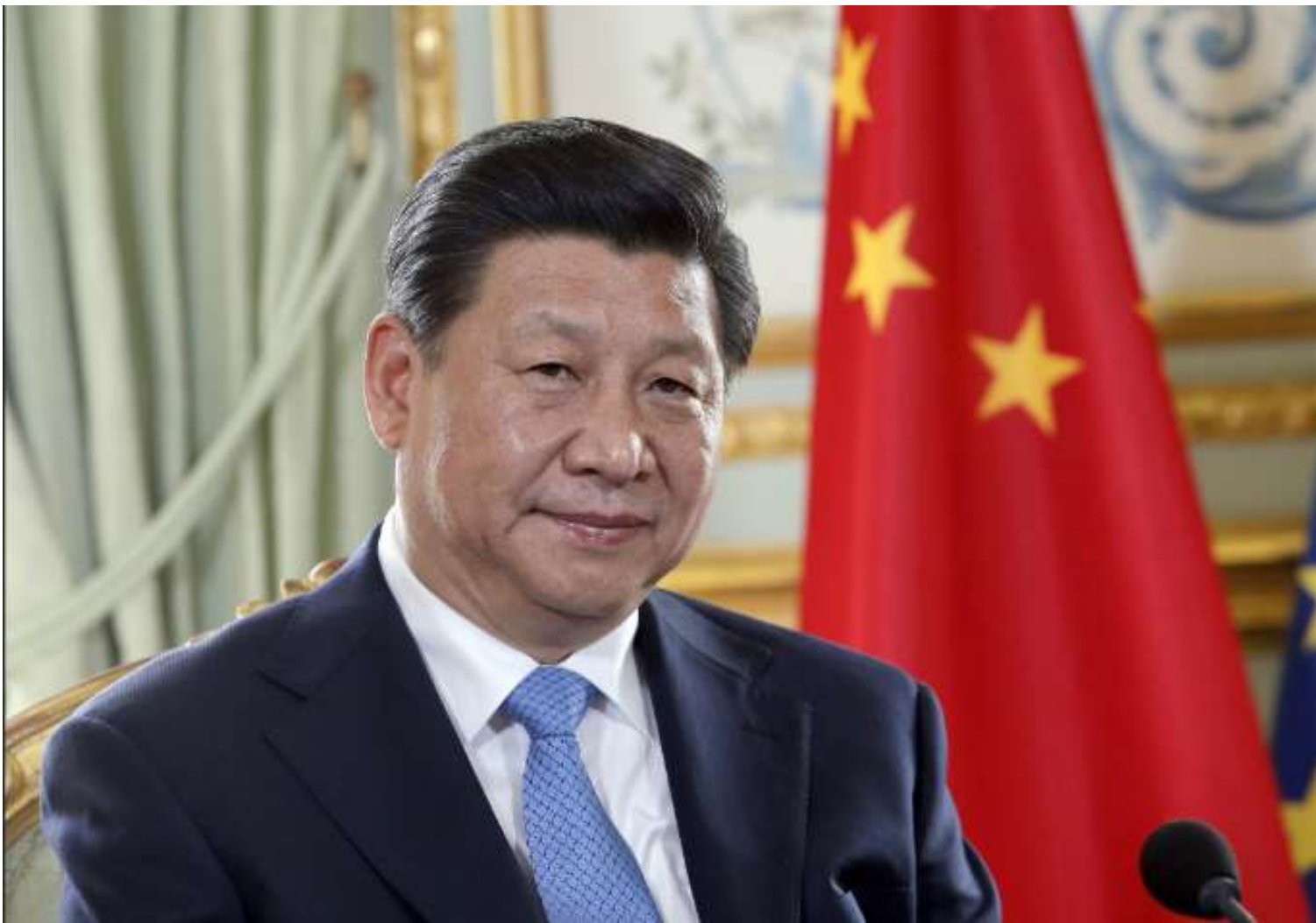
- Dow: 33,937 (36,784)
- Corn- \$ 5.45 (8.25-2012)
- Wheat- \$ 6.44(11.92-2008)
- Beans- \$ 12.08 (15.95-2012)
- Cotton- \$ .84(2.13-2011)
- Sugar- \$ .525Brn(53.5-1974)
- Rice- \$ 15.46 (23.8-2008)
- Ethanol- \$ 2.16(3.47-2014),
- Oil - Brent Crude \$72.32 WTI \$ 67.56 Gas \$2.49
- Feeder Cattle \$ 1.73-- \$ 2.39 (1.70-2014)
- Lumber \$ 508 per thousand (1720)



# OIL AND GAS







## 12-month percentage change, Consumer Price Index, selected categories, not seasonally adjusted

- All items
- Food at home
- Energy
- Electricity
- All items less food and energy
- Apparel
- Medical care commodities
- Shelter
- Education and communication
- Food
- Food away from home
- Gasoline (all types)
- Natural gas (piped)
- Commodities less food and energy com...
- New vehicles
- Services less energy services
- Medical care services



Hover over chart to view data.

Note: Shaded area represents recession, as determined by the National Bureau of Economic Research.

Source: U.S. Bureau of Labor Statistics.



12-month percentage change, Consumer Price Index, selected categories, not seasonally adjusted																	
Month	All items	Food	Food at home	Food away from home	Energy	Gasoline (all types)	Electricity	Natural gas (piped)	All items less food and energy	Commodities less food and energy commodities	Apparel	New vehicles	Medical care commodities	Services less energy services	Shelter	Medical care services	Education and communication
Mar 2021	2.6%	3.5%	3.3%	3.7%	13.2%	22.5%	2.5%	9.8%	1.6%	1.7%	-2.5%	1.5%	-2.4%	1.6%	1.7%	2.7%	1.5%
Apr 2021	4.2%	2.4%	1.2%	3.8%	25.1%	49.6%	3.6%	12.1%	3.0%	4.4%	1.9%	2.0%	-1.7%	2.5%	2.1%	2.2%	1.7%
May 2021	5.0%	2.2%	0.7%	4.0%	28.5%	56.2%	4.2%	13.5%	3.8%	6.5%	5.6%	3.3%	-1.9%	2.9%	2.2%	1.5%	1.9%
June 2021	5.4%	2.4%	0.9%	4.2%	24.5%	45.1%	3.8%	15.6%	4.5%	8.7%	4.9%	5.3%	-2.2%	3.1%	2.6%	1.0%	2.1%
July 2021	5.4%	3.4%	2.6%	4.6%	23.8%	41.8%	4.0%	19.0%	4.3%	8.5%	4.2%	6.4%	-2.1%	2.9%	2.8%	0.8%	1.1%
Aug 2021	5.3%	3.7%	3.0%	4.7%	25.0%	42.7%	5.2%	21.1%	4.0%	7.7%	4.2%	7.6%	-2.5%	2.7%	2.8%	1.0%	1.2%
Sept 2021	5.4%	4.6%	4.5%	4.7%	24.8%	42.1%	5.2%	20.6%	4.0%	7.3%	3.4%	8.7%	-1.6%	2.9%	3.2%	0.9%	1.7%
Oct 2021	6.2%	5.3%	5.4%	5.3%	30.0%	49.6%	6.5%	28.1%	4.6%	8.4%	4.3%	9.8%	-0.4%	3.2%	3.5%	1.7%	1.8%
Nov 2021	6.8%	6.1%	6.4%	5.8%	33.3%	58.1%	6.5%	25.1%	4.9%	9.4%	5.0%	11.1%	0.2%	3.4%	3.8%	2.1%	1.7%
Dec 2021	7.0%	6.3%	6.5%	6.0%	29.3%	49.6%	6.3%	24.1%	5.5%	10.7%	5.8%	11.8%	0.4%	3.7%	4.1%	2.5%	1.6%
Jan 2022	7.5%	7.0%	7.4%	6.4%	27.0%	40.0%	10.7%	23.9%	6.0%	11.7%	5.3%	12.2%	1.4%	4.1%	4.4%	2.7%	1.6%
Feb 2022	7.9%	7.9%	8.6%	6.8%	25.6%	38.0%	9.0%	23.8%	6.4%	12.3%	6.6%	12.4%	2.5%	4.4%	4.7%	2.4%	1.6%
Mar 2022	8.5%	8.8%	10.0%	6.9%	32.0%	48.0%	11.1%	21.6%	6.5%	11.7%	6.8%	12.5%	2.7%	4.7%	5.0%	2.9%	1.5%
Apr 2022	8.3%	9.4%	10.8%	7.2%	30.3%	43.6%	11.0%	22.7%	6.2%	9.7%	5.4%	13.2%	2.1%	4.9%	5.1%	3.5%	1.0%
May 2022	8.6%	10.1%	11.9%	7.4%	34.6%	48.7%	12.0%	30.2%	6.0%	8.5%	5.0%	12.6%	2.4%	5.2%	5.5%	4.0%	0.8%
June 2022	9.1%	10.4%	12.2%	7.7%	41.6%	59.9%	13.7%	38.4%	5.9%	7.2%	5.2%	11.4%	3.2%	5.5%	5.6%	4.8%	0.8%
July 2022	8.5%	10.9%	13.1%	7.6%	32.9%	44.0%	15.2%	30.5%	5.9%	7.0%	5.1%	10.4%	3.7%	5.5%	5.7%	5.1%	0.5%
Aug 2022	8.3%	11.4%	13.5%	8.0%	23.8%	25.6%	15.8%	33.0%	6.3%	7.1%	5.1%	10.1%	4.1%	6.1%	6.2%	5.6%	0.5%
Sept 2022	8.2%	11.2%	13.0%	8.5%	19.8%	18.2%	15.5%	33.1%	6.6%	6.6%	5.5%	9.4%	3.7%	6.7%	6.6%	6.5%	0.2%
Oct 2022	7.7%	10.9%	12.4%	8.6%	17.6%	17.5%	14.1%	20.0%	6.3%	5.1%	4.1%	8.4%	3.1%	6.7%	6.9%	5.4%	0.0%
Nov 2022	7.1%	10.6%	12.0%	8.5%	13.1%	10.1%	13.7%	15.5%	6.0%	3.7%	3.6%	7.2%	3.1%	6.8%	7.1%	4.4%	0.7%
Dec 2022	6.5%	10.4%	11.8%	8.3%	7.3%	-1.5%	14.3%	19.3%	5.7%	2.1%	2.9%	5.9%	3.2%	7.0%	7.5%	4.1%	0.7%
Jan 2023	6.4%	10.1%	11.3%	8.2%	8.7%	1.5%	11.9%	26.7%	5.6%	1.4%	3.1%	5.8%	3.4%	7.2%	7.9%	3.0%	1.0%
Feb 2023	6.0%	9.5%	10.2%	8.4%	5.2%	-2.0%	12.9%	14.3%	5.5%	1.0%	3.3%	5.8%	3.2%	7.3%	8.1%	2.1%	1.0%
Mar 2023	5.0%	8.5%	8.4%	8.8%	-6.4%	-17.4%	10.2%	5.5%	5.6%	1.5%	3.3%	6.1%	3.6%	7.1%	8.2%	1.0%	1.4%
Apr 2023	4.9%	7.7%	7.1%	8.6%	-5.1%	-12.2%	8.4%	-2.1%	5.5%	2.0%	3.6%	5.4%	4.0%	6.8%	8.1%	0.4%	1.6%

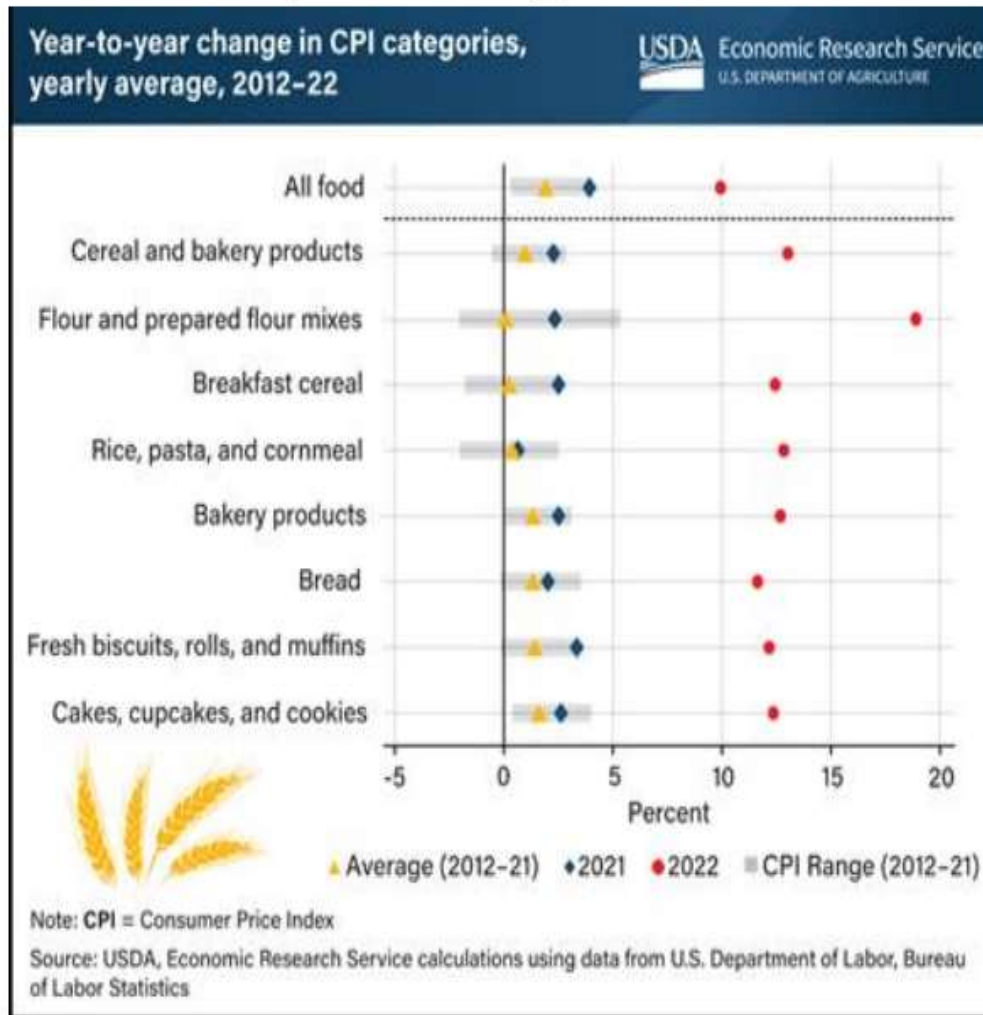




## **The U.S. Consumer Is Starting to Freak Out**

The flush savings accounts and cheap credit that helped keep Americans spending at high rates since 2020 are disappearing

# Inflation Impacting Cereal Products

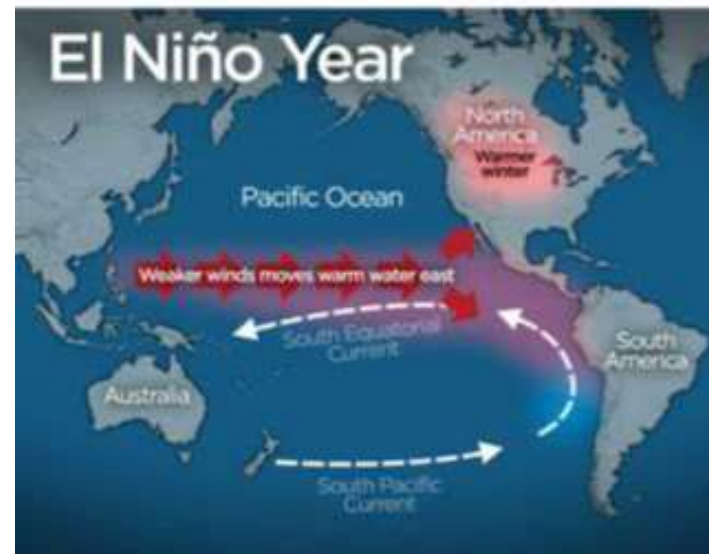


Source: USDA, Economic Research Service, Chart of Note. February 15, 2023.



## How El Niño Could Scramble Commodity Markets

Climate pattern's forecast is pushing up sugar prices and could threaten some U.S. farmers

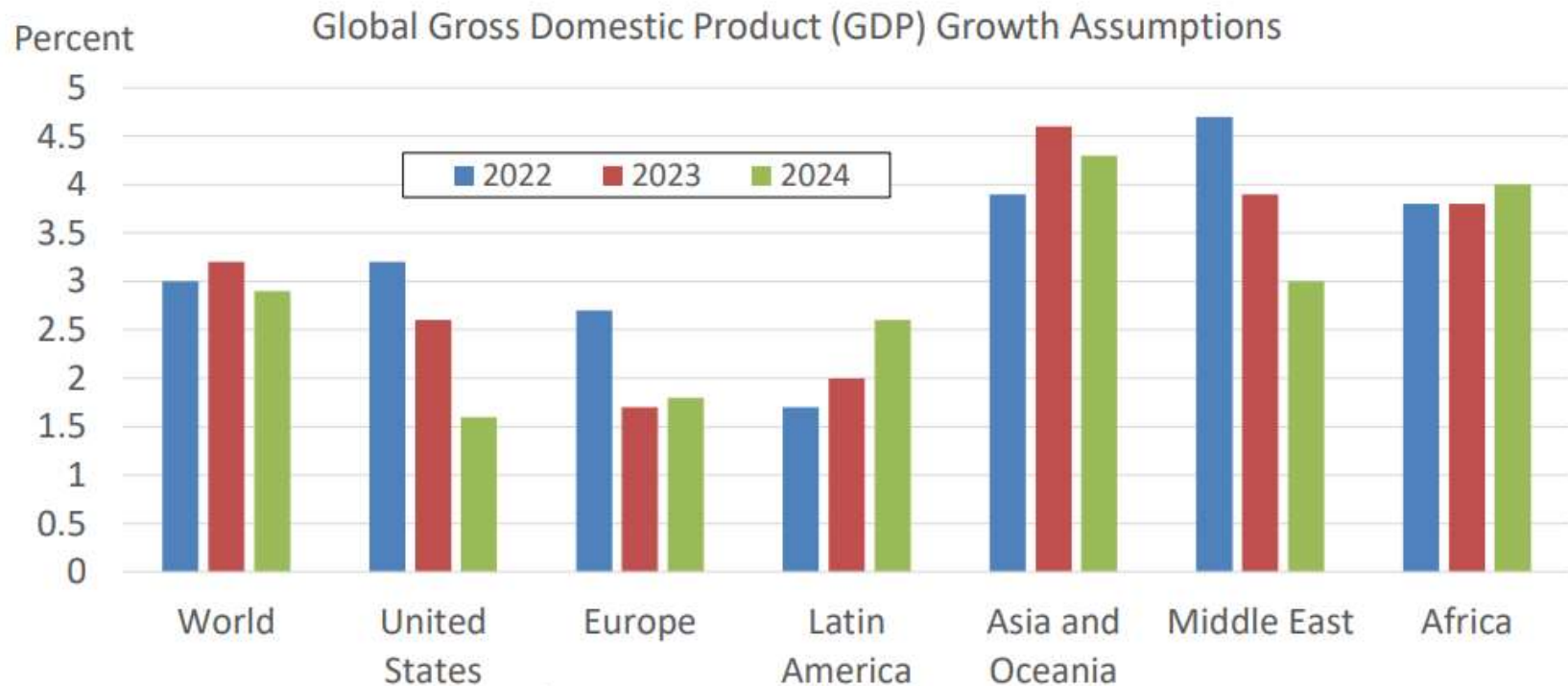


# WORLD ECONOMICS/ POLITICS

## World map



# U.S. Growth Projected Slower; Mixed Across Other Regions



Source: USDA, Economic Research Service, International Macroeconomic Data Set.



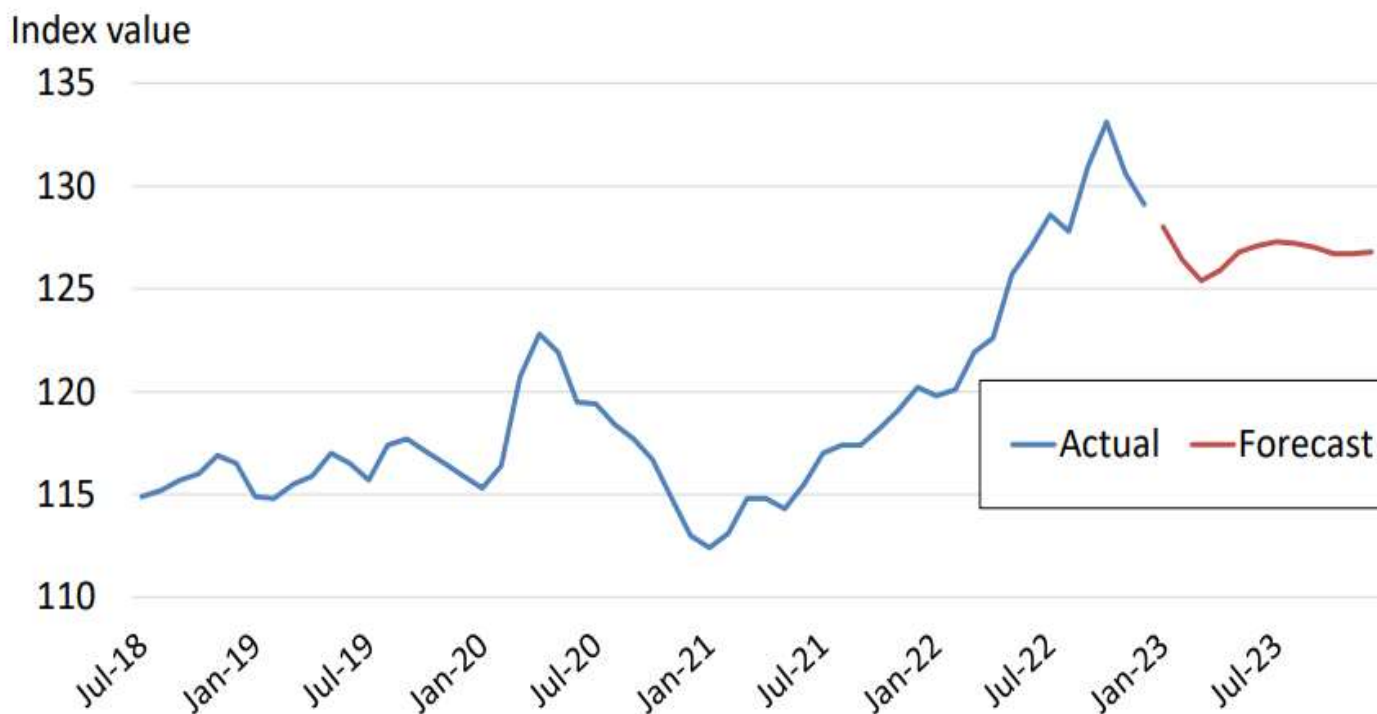
# Can increase rainfall by 15%



**Cloud Seeding Makes Hot Comeback as a Solution to Drought**

and has skyrocketed across the Western U.S. and Mexico to boost rain, snowfall

# Strong U.S. Dollar Expected to Continue



Note: Series used is "U.S. agricultural exports to the world" index.

Source: USDA, Economic Research Service, Agricultural Exchange Rate Data Set.



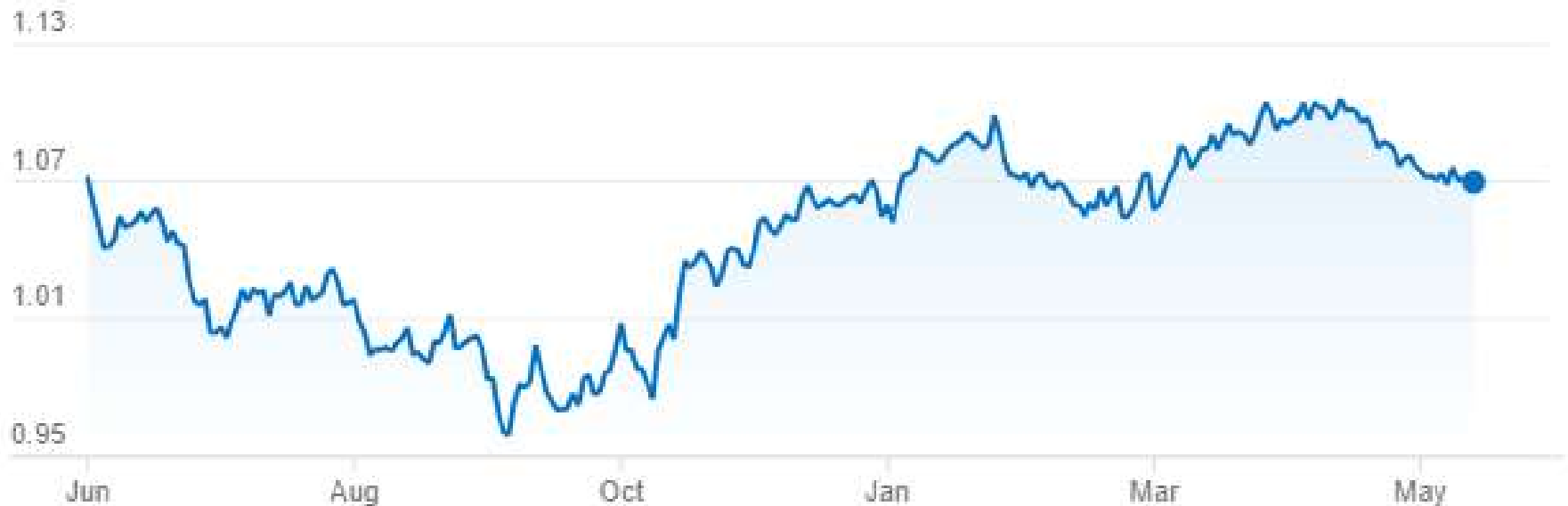
1 Euro =

# 1.08 US Dollar

Last updated · June 8 at 4:35 PM UTC

EUR € - Euro	↔	USD \$ - US Dollar
1.00		1.08

- Day
- Week
- Month
- Year**
- 5 Year
- Max



Data from Refinitiv · Disclaimer

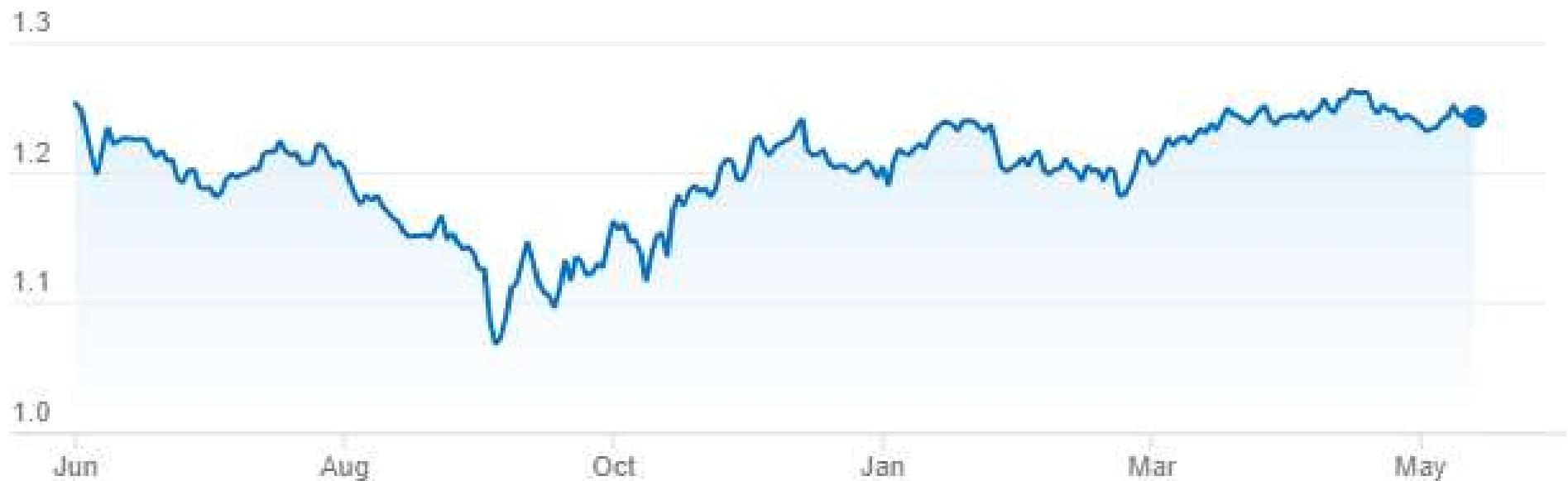


1 Pound Sterling =  
**1.25 US Dollar**

Last updated · June 8 at 4:36 PM UTC

<b>GBP £ - Pound Sterling</b> ▼	↔	<b>USD \$ - US Dollar</b> ▼
1.00		1.25

- Day
- Week
- Month
- Year**
- 5 Year
- Max



# Farmland values jump more than 12%

- Average U.S. \$ 3,800 per acre up 12.4%
- Average cropland \$ 5,050 per acre up 14.3%
- Iowa \$ 9,400 per acre up 21.4%
- Minnesota \$ 6,150 per acre up 17.45%
- Kansas \$ 2,630 per acre up 25.2%
- Nebraska \$ 3,750 per acre up 21%
- South Dakota \$ 2,600 per acre up 18.7%
- California \$ 12,000 per acre up 10.1%
- Northeast \$ 15,000 per acre

# Foreign Holdings of US Agricultural Land

- June 23, 2022
- Amendment to Agriculture and Rural Development Appropriations Bill
- 2023 Reintroduction of Promoting Agriculture Safeguards and Security (PASS) Act
- The Secretary of Agriculture shall take such actions as may be necessary to prohibit the purchase of agricultural land located in the United States by companies owned, in full or in part, by the People's republic of China, Russia, North Korea, or Iran



The plot of land on the north side of Grand Forks, N.D., that Fufeng Group bought, hoping to build a corn mill. The site is 12 miles from the Grand Forks Air Force Base.

# Farms Become U.S.-China Flashpoint

By Scott W. Perrowe  
and Andrew Delmonico

GRAND FORKS, N.D.—For more than two years, the mayor of this city near the Minnesota border backed a Chinese company's plans to build a \$700-million corn mill on the outskirts of town, citing the prospect of new jobs, added tax revenue and another place for farmers to sell their corn.

Then last week Brandon Bochenek reversed course, hours after the release of a letter from an Air Force official declaring the corn-mill project a security risk because of its proximity to the Grand Forks Air Force Base 12 miles away.

"When it comes to national security, I don't think the economic matter," said Mr. Bochenek, a former professional hockey player who was elected mayor in 2020. "You've got to draw a hard line there."

Mr. Bochenek said he and other officials who had supported the project would now block the development by the U.S. branch of Fufeng Group Ltd., which still owns the 170-acre site.

Fufeng didn't respond to a request for comment.

The episode reflects intensifying concerns over whether the U.S. should be restricting the ability of foreigners, particularly from China, to buy American farmland or agricultural businesses.

Lawmakers and others say they want to make sure the U.S. food-supply chain is protected and that China and other foreign adversaries aren't able to use U.S. land as a perch for spying. Worries about China's espionage deepened after a suspected Chinese spy balloon was identified in U.S. airspace and later shot down over the Atlantic on Saturday.

"Grand Forks and Fufeng became a flashpoint for a much broader discussion," said Sen. Kevin Cramer (R,



Grand Forks Mayor Brandon Bochenek turned against the Fufeng corn mill after the Air Force raised objections. An anti-Fufeng sign in a city neighborhood urges people to object.

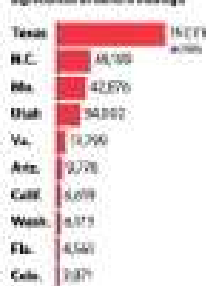


Chinese acquisitions of U.S. agricultural land, cumulative



Through Dec. 31, 2020, Chinese took control of and acquired leases on 14 million acres of U.S. farmland, foreign entities' U.S. acquisitions with foreign ownership, USDA, U.S. Dept. of Agriculture, Dept. land.

Top states for Chinese agricultural land holdings



Top countries for U.S. land holdings, in millions of acres



N.D.), who had raised concerns for months over the project.

Some also worry that wealthy foreign owners could price domestic farmers out of the market or seek to skirt U.S. environmental standards.

The Chinese Embassy said the U.S. stands to benefit from overseas investments. "We oppose the malicious generalization of the concept of national security and the obstruction and sabotage of normal exchanges and mutually beneficial cooperation between the two countries," said a spokesman for the embassy.

The rhetoric around the de-

bate has started to unsettle some lawmakers, who worry these proposals stoke anti-Asian sentiment.

"I think our country goes through these waves of looking for communists and groups to make into a scapegoat," said Texas state Rep. Gene Wu, a Democrat.

Mr. Wu opposes, and has helped lead protests against, proposed legislation that would bar Texas land purchases by governments, businesses or citizens of China, Iran, North Korea and Russia.

An Agriculture Department database obtained by The Wal-

Street Journal under a Freedom of Information Act request shows that Chinese investors—individuals, foreign entities or U.S. corporations with foreign shareholders—held more than 139,000 acres at the end of 2020, according to the USDA data, excluding nonagricultural land. That is up from more than 75,000 acres at the end of 2010.

China owns slightly less than 1% of all U.S. farmland held by foreigners, who in total owned around 1% of all privately held agricultural land at the end of 2020, according to the USDA.

That doesn't represent a substantial enough portion of U.S. food production to threaten the country's ability to feed itself, according to an analysis co-written by Caitlin Welsh, director of the Global Food Security Program at the Center for Strategic and International Studies.

Still, the widening geopolitical conflict between the U.S. and China has fueled interest in whether U.S. farmland, even while the two countries' agricultural economies are intertwined, China remains the biggest market for U.S. agricultural exports, buying at least \$30 billion of agricultural goods in 2021, according to the USDA.

In Congress, lawmakers have introduced bipartisan bills to tighten federal oversight of foreigners' proposed purchases or outright block the ability of buyers from China, Russia, North Korea and Iran to buy U.S. farmland or agricultural businesses.

Currently, 22 states are considering measures aimed at restricting or tightening existing limits around foreign ownership of U.S. farmland, according to the National Agricultural Law Center.

In Grand Forks, residents' concerns ranged from water supplies to worries about whether the proposed corn mill would pose a national security threat to the Air Force base, which is home to a system of intelligence, surveillance and reconnaissance assets.

The City Council voted unanimously Monday to terminate the development agreement, blocking building permits and infrastructure for the Fufeng project. Mr. Bochenek and other officials are now turning their attention to alternative developments on the site.

Mr. Bochenek said this time he would look for a company based in the U.S. or one of its allies. "That'd be ideal," he said.

COURTESY OF FUFENG GROUP LTD. (LEFT); JEFFREY MATHIAS/REUTERS

- China has 20% of the world's population and 7-9% of the world's arable land.
- 2010 \$ 81M      2020 \$ 1.8B in US land
- Adding US Sec of Ag to the Committee on Foreign Investment in the US
- Buying farmland in close proximity to military bases.

# HB 125 ECHOLS

- Provides relative to agriculture land protection
- Against foreign adversaries
- Provides for reporting to the Sec of State and the Attorney General any purchase, sale, or transfer of agricultural land by any foreign business entity

# Supreme Court's Decision in *Sackett v. Environmental Protection Agency*

The U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers are in receipt of the U.S. Supreme Court's May 25, 2023 decision in the case of *Sackett v. EPA*. In light of this decision, the agencies will interpret the phrase "waters of the United States" consistent with the Supreme Court's decision in *Sackett*. The agencies continue to review the decision to determine next steps.

## Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

## SUPREME COURT OF THE UNITED STATES

## Syllabus

SACKETT ET UX. *v.* ENVIRONMENTAL PROTECTION  
AGENCY ET AL.CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR  
THE NINTH CIRCUIT

No. 21–454. Argued October 3, 2022—Decided May 25, 2023

Petitioners Michael and Chantell Sackett purchased property near Priest Lake, Idaho, and began backfilling the lot with dirt to prepare for building a home. The Environmental Protection Agency informed the Sacketts that their property contained wetlands and that their backfilling violated the Clean Water Act, which prohibits discharging pollutants into “the waters of the United States.” 33 U. S. C. §1362(7). The EPA ordered the Sacketts to restore the site, threatening penalties of over \$40,000 per day. The EPA classified the wetlands on the Sacketts’ lot as “waters of the United States” because they were near a ditch that fed into a creek, which fed into Priest Lake, a navigable, intrastate lake. The Sacketts sued, alleging that their property was not “waters of the United States.” The District Court entered summary judgment for the EPA. The Ninth Circuit affirmed, holding that the CWA covers wetlands with an ecologically significant nexus to traditional navigable waters and that the Sacketts’ wetlands satisfy that standard.

*Held:* The CWA’s use of “waters” in §1362(7) refers only to “geographic[al] features that are described in ordinary parlance as ‘streams, oceans, rivers, and lakes’” and to adjacent wetlands that are “indistinguishable” from those bodies of water due to a continuous surface connection. *Rapanos v. United States*, 547 U. S. 715, 755, 742, 739 (plurality opinion). To assert jurisdiction over an adjacent wetland under the CWA, a party must establish “first, that the adjacent [body of water constitutes] . . . ‘water[s] of the United States’ (*i.e.*, a relatively permanent body of water connected to traditional interstate navigable waters); and second, that the wetland has a continuous surface connection with that water, making it difficult to determine where the ‘water’ ends and the ‘wetland’ begins.” *Ibid.* Pp. 6–28.



United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

April 12, 2023

Lyle W. Cayce  
Clerk

---

No. 22-30236

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TURTLE ISLAND FOODS, S.P.C., *doing business as* TOFURKY  
COMPANY,

*Plaintiff—Appellee,*

*versus*

MICHAEL G. STRAIN, *in his official capacity as Commissioner of*  
*Agriculture and Forestry,*

*Defendant—Appellant.*

---

Appeal from the United States District Court  
for the Middle District of Louisiana  
USDC No. 3:20-CV-674

---

Before SMITH, CLEMENT, and WILSON, *Circuit Judges.*

EDITH BROWN CLEMENT, *Circuit Judge:*

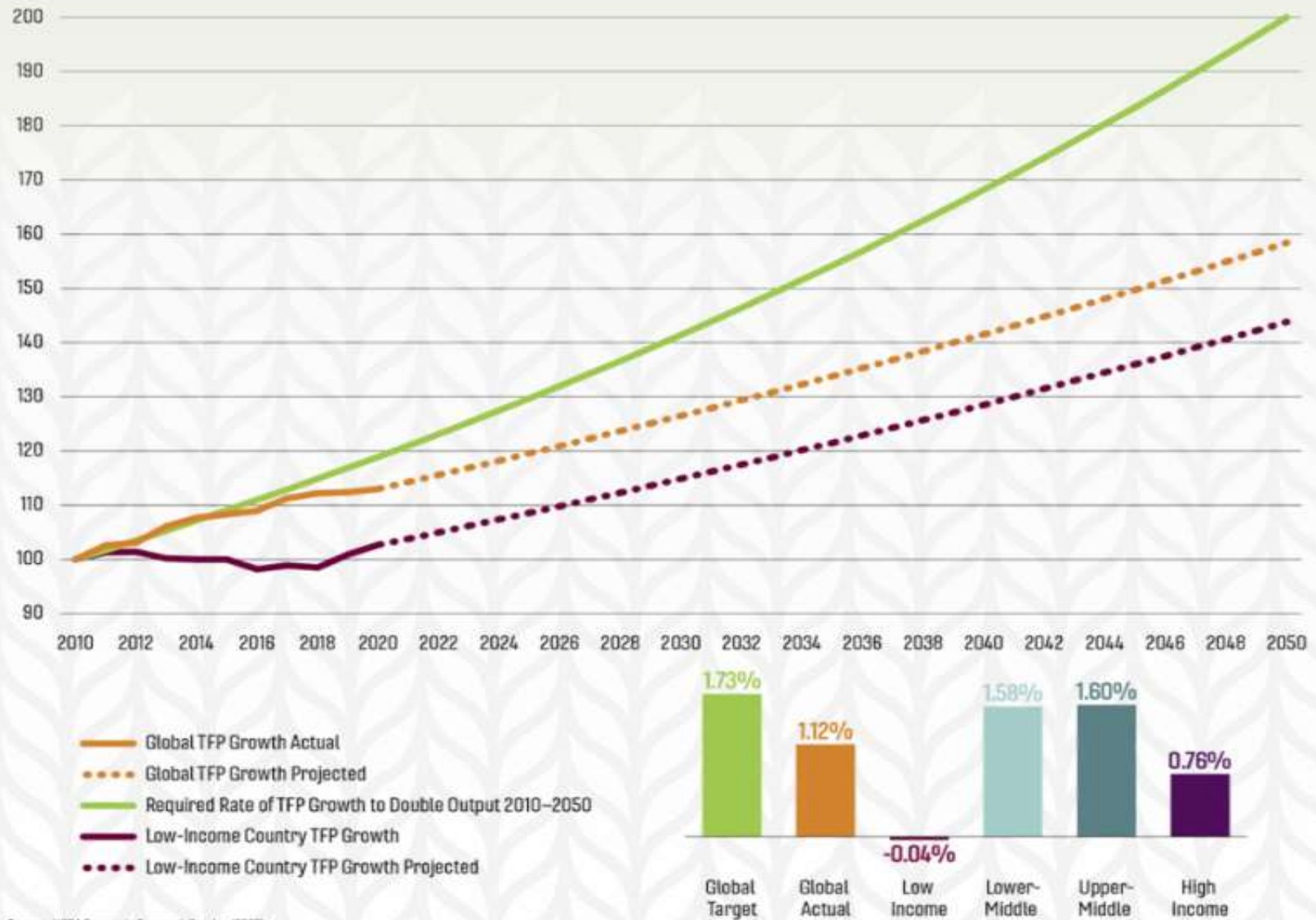
A Louisiana statute bars food labeling practices that are misleading. The district court found that such a bar infringes on the free speech rights of food labelers and enjoined the law. We disagree, and so REVERSE and VACATE.

I

In 2019, Louisiana passed the Truth in Labeling of Food Products Act (the “Act”) to “protect consumers from misleading and false labeling of food

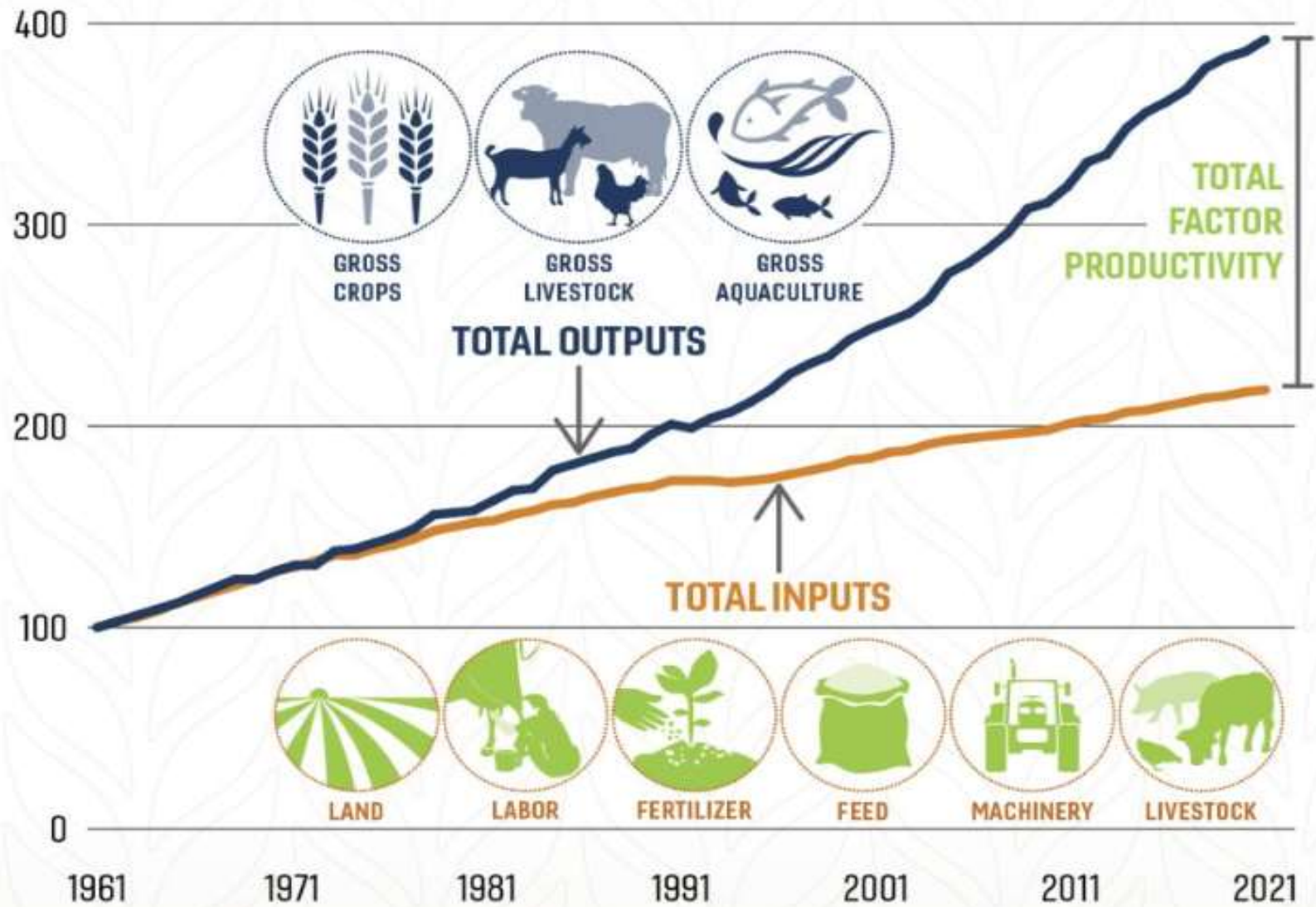
## 2022 Global Agricultural Productivity Index

*TFP growth rates are based on a 10-year rolling average over a ten-year period.*



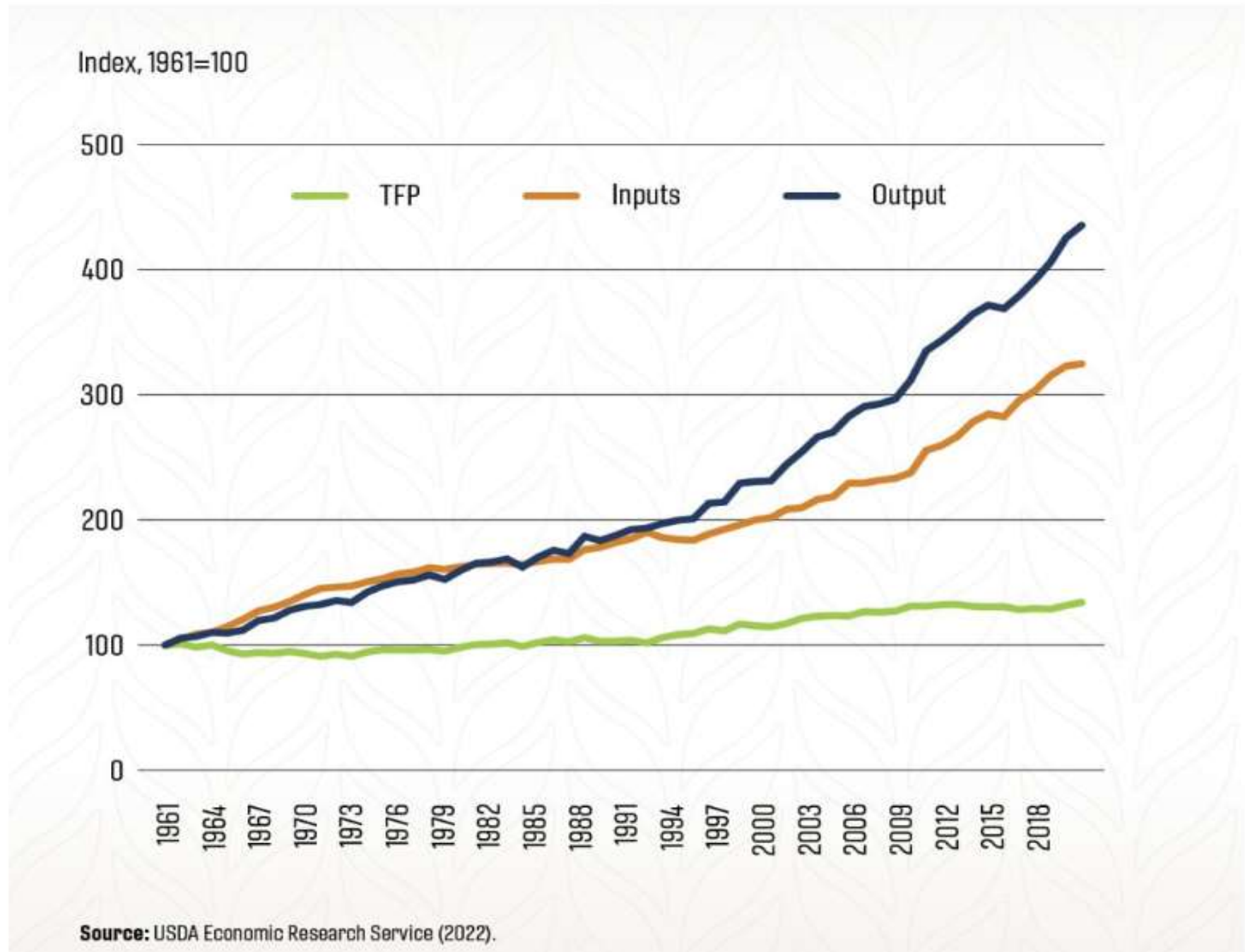
Source: USDA Economic Research Service (2022).

Index, 1961=100



Source: USDA Economic Research Service (2022).

# Low Income Agricultural Output, Input, and Total Factor Productivity (TFP), 1961-2020



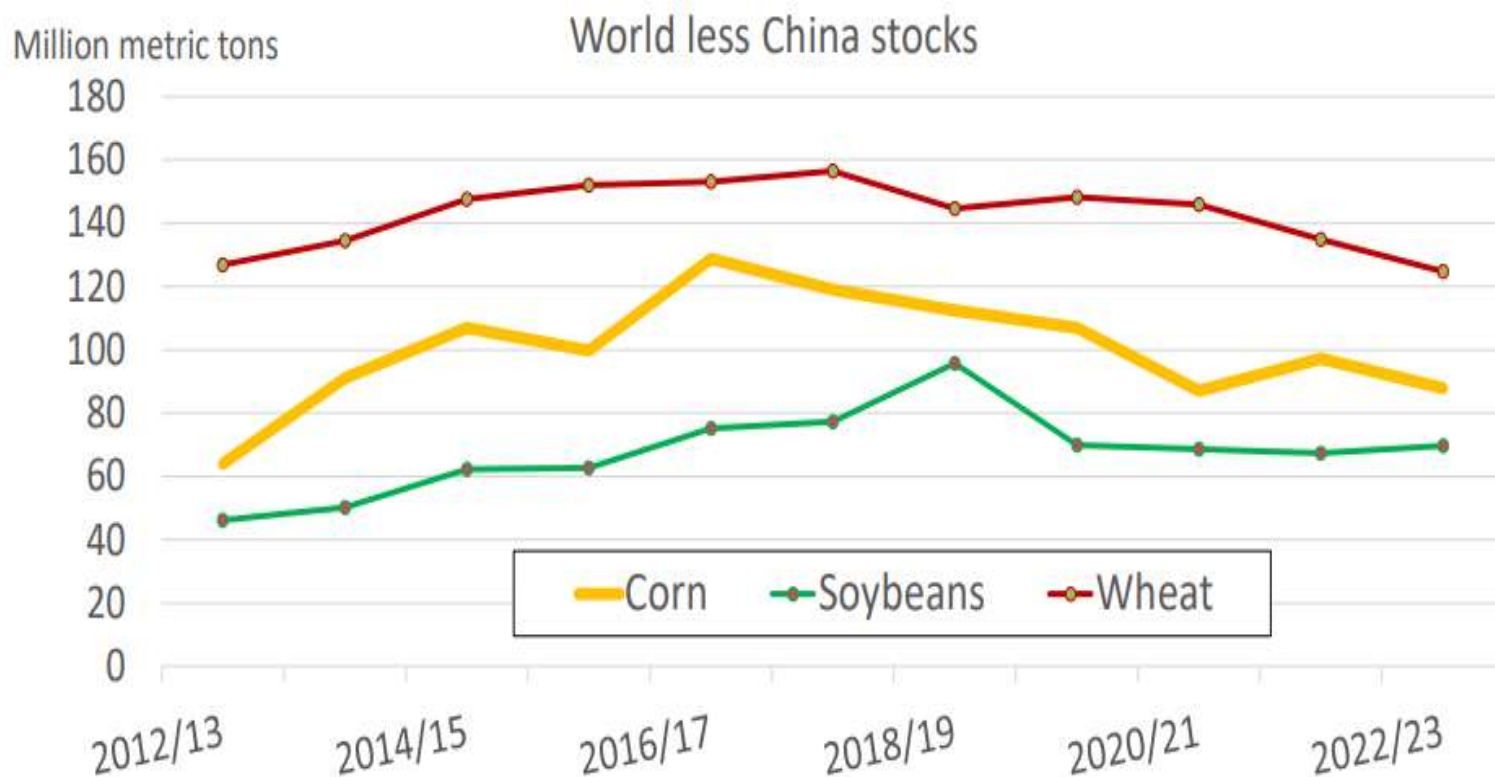
# TOTAL FACTOR PRODUCTIVITY

The 2022 GAP Index reveals the lowest level of TFP growth to date, an average of 1.12% per year (2011-2020), far below the target of 1.73% annual growth (Figure 2). If this rate remains unchanged, the gap will widen over time, making it increasingly difficult to close.



The most recent data show a sharp decline in TFP and output growth (Figure 5). The average annual TFP growth rate declined from 1.99% in 2001-2010 to 1.12% in 2011-2020. The contribution of land expansion (much of this in Sub-Saharan Africa) to output growth more than doubled between the two decades, while the rate of input intensification declined by 17%.

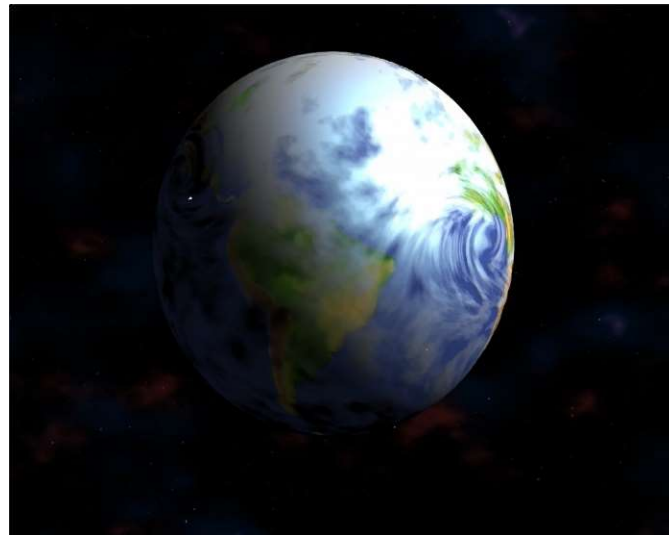
# Tight Global Supplies for Grains and Oilseeds



Note: Data based on local marketing years except for Argentina and Brazil soybeans which are adjusted to an October-September year.  
Source: USDA, Economic Research Service calculations; USDA, Foreign Agricultural Service *Production, Supply and Distribution Database*;  
USDA, World Agricultural Outlook Board, Agricultural Outlook Forum.

# WASDA REPORT RICE

- World Production: 520.50 MMT
- World Consumption: 523.00 MMT
- World Ending Stocks: 166.70 MMT (3.84Months)



# Food and Agriculture Organization Production/Consumption

Wheat: 789.8 MMT/791.7MMT (267MMT)

Coarse Grains:1439.6MMT/1450.1MMT  
(323MMT)

Oil Seeds: 671.2 MMT/542.5. MMT  
(116.8MMT)





# WORLD Production vs Consumption

Sugar: 174.4 MMT/ 173.6 MMT (1.31MMT)

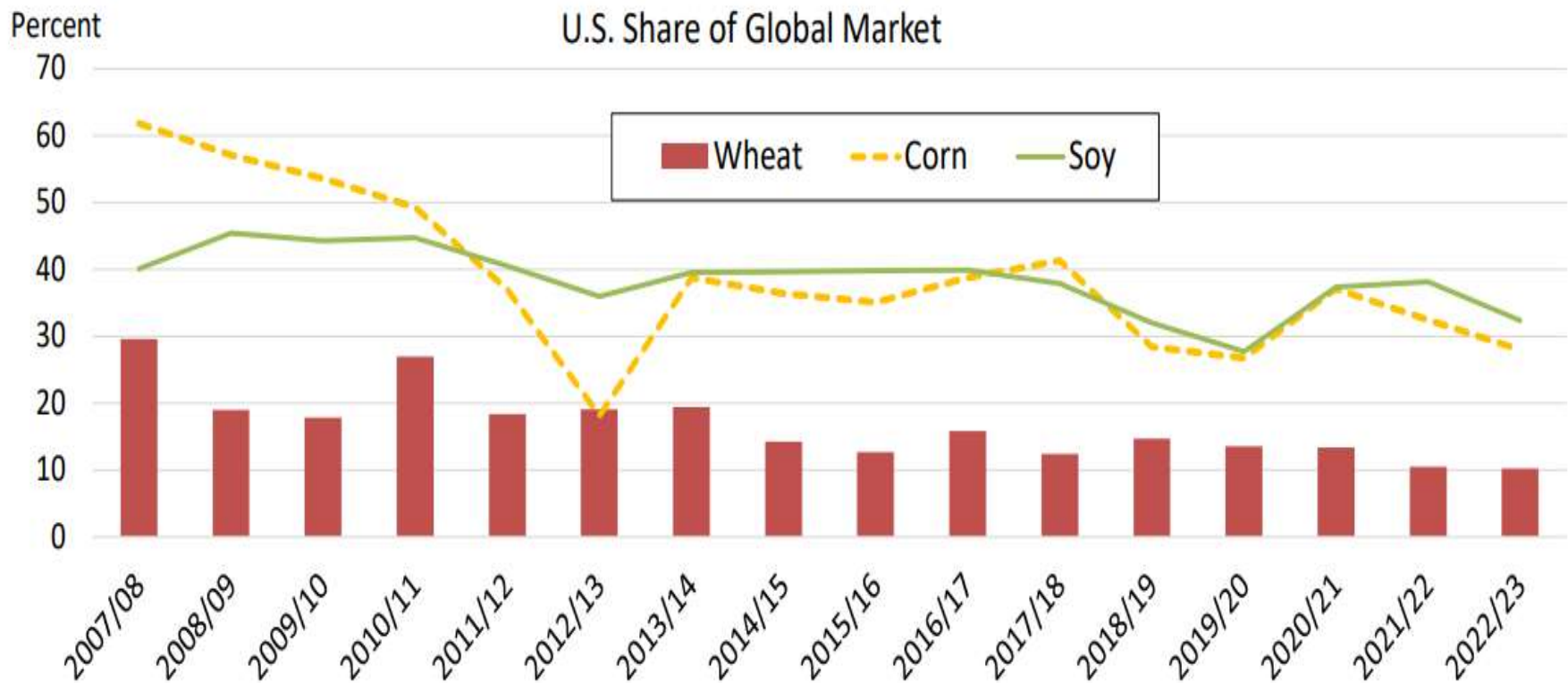
Meats: 337,118 KMT/ 335,471 KMT (2,019KMT)

Poultry: 103.4 KMT/135,779 KMT(22,000KMT)

Pork: 114.33MMT/ 112.6MMT (68,200MMT)

Cotton: 116.36 M/ 119.63M Bales(93M)

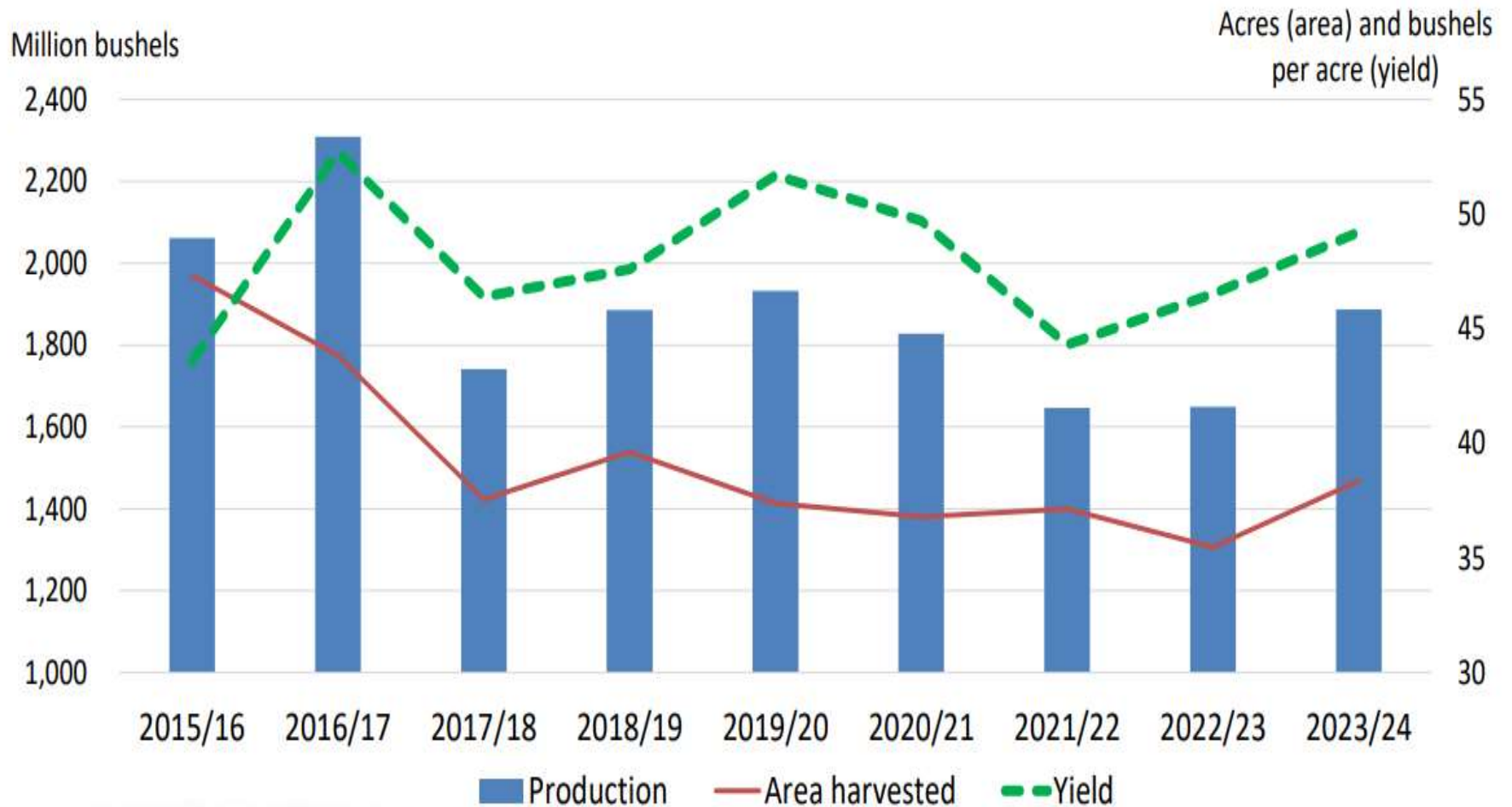
# U.S. Market Share Declining



Note: For wheat and corn, global market share is calculated using the trade year export data, which is July/June for wheat, October-September for corn. For soybeans, local marketing year exports are utilized, except for Argentina and Brazil which are adjusted to an October-September basis.

Source: USDA, Economic Research Service; data from USDA, Foreign Agricultural Service, *Production, Supply, and Distribution* database.

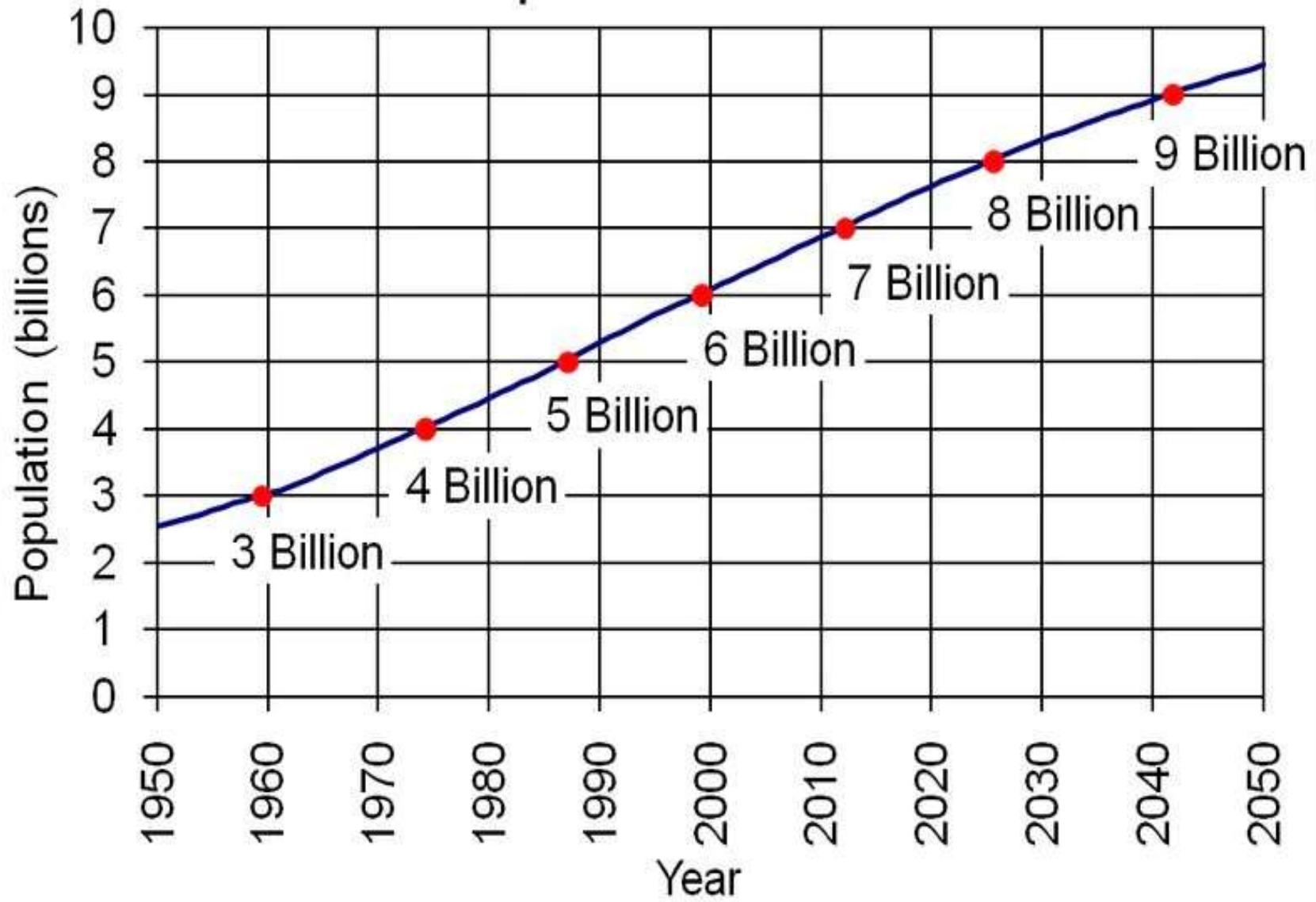
# Wheat Production Expected to Rebound



# IT IS THE FUNDAMENTAL DUTY OF MANKIND TO FEED THE WORLD



# World Population: 1950-2050



Source: U.S. Census Bureau, International Data Base, June 2011 Update.

# LOUISIANA MARKET BULLETIN

## PUBLISHED SINCE 1906

JUNE 3, 2021 • VOL. 104 • NO. 11



Hurricane season is here and the 2021 hurricane season is expected to be an active one. Now is the time to prepare.

"I'm urging everyone to have a plan in place for you, your family, your property and your pets/

livestock in the event you are in the path of a storm," said Commissioner of Agriculture and Forestry Mike Strain, D.V.M.

Louisiana residents should have a plan in place for their property, pets and/ or livestock in the event a

storm threatens.

"This is the time to prepare your property so if you need trees cut, it is recommended you use a licensed arborist. This protects you because they are trained and must maintain liability insurance," said Strain.

Refer to the Louisiana Department of Agriculture and

- Check tire pressure and rubber for wear
- Test brake and running lights
- Inspect the overall condition of the trailer
- Proper identification for livestock that are evacuated is crucial during a natural disaster.

**Important livestock items to take during an**

evacuating and sheltering household pets for evacuated citizens going to shelters during declared emergencies. The LDAF has two mobile pet shelters to assist in keeping family pets in close proximity to their owners when an evacuation is necessary. Those pet trailers and LDAF employees are ready to be mobilized, if necessary.

# LFBF.ORG

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MODERNIZATION ACT**



*The Latest News in  
Louisiana Agriculture*  
From Don Molino & Avery Davidson



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Forward

Thursday, June 24

The latest news on [LaFarmBureauNews.com](http://LaFarmBureauNews.com)

### Public Hearing Set for Solar Plants

Crops need sunshine, but some farmers are concerned there might be too much of a good thing.

In recent months, many in the agricultural industry have expressed concern about the rapid

# DAILY PODCAST

to have it listed here.

LA AGRICULTURE  
COMMISSIONER DR. MIKE  
STRAIN'S DAILY REPORT



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## On the Radio This Morning

(Click title to hear report)

**The Morning Farm Report:** Neil Melancon takes a look at the latest news in Louisiana agriculture, yesterday's grain market analysis and prices, and the latest livestock markets.

**The Cotton Report:** Don Molino has the latest news and market information affecting the Louisiana cotton industry.

Listen to us on our great affiliate radio stations across the state of Louisiana on *The Voice of Louisiana Agriculture Radio Network*. [Click here](#) to find a station in your area.

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Video From





## ECHOLS AT 8 SHOW WITH MICHAEL ECHOLS



### ECHOLS AT 8 SHOW WITH MICHAEL ECHOLS WEDNESDAYS 8-9AM

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FORESTRY  
MIKE STRAIN DVM  
COMMISSIONER**



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# LABOR H2A/H2B



# INNOVATION AND TECHNOLOGY







# CERTIFIED LOUISIANA



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## Welcome to the Certified Logo Program

The Certified Louisiana, Certified Cajun, Certified Creole, Certified Craft Beverage and Certified Farm to Table logo program was established by the Louisiana Department of Agriculture and Forestry in accordance with RS 3:4721 for the promotion of Louisiana made, grown, manufactured or processed products that are aimed at enhancing and promoting Louisiana's agricultural industry. The logos are registered trademarks with the United States Patent and Trademark office and the Louisiana Secretary of State's office.



TIMBER \$ 3.8B

18.6M acres



# Poultry \$1.8B, 400 farms



# LINEAGE LOGISTICS



# Sugarcane

\$ 1.1B, 494K acres, 450 farms  
average yield 29.8 tons/acre, down  
9%



# Soybeans

- \$ 606M 1.06M acres, 2,254 farms average yield 52 bu/acre, up 2%



# RICE: 3<sup>rd</sup> largest producer in US

- \$ 379 M
- 414 K ACRES: began 1n 1718
- 828 FARMS average yield 6,870 lbs/acre, down 12%



Feed Grains \$302M, 600K+ acres,



# CORN

- 600,000 planted acres, up 100,000 from 2020, 565,000 harvested acres, average yield 183 bu/acre up 18%





# COTTON \$247,230,786

## 105K acres

- Average yield 960 lbs/acre
- 210,000 bales, down 38%



**HORSES \$ 339,861,000**  
**116,834**



# HORTICULTURE

\$ 115M, 11K acres



CATTLE \$ 345M  
590K



Dairy \$24M 8,500 head



Swine \$ 2M 277 Producers



# Sheep \$ 1M 271 Producers



Goats \$2M 903 Producers





HAY \$ 125,262,303, 370k acres



# SWEET POTATOES

- \$ 47M, 7,239 acres





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# Pesticide Pickup

- #6 (Crowley) 207,631 lbs; 103.8 tons, 6 truckloads
- #7 Southeast Research Station (Franklinton) 71,306 lbs; 35.65 tons
- To date: 345.96 tons of hazardous chemicals. Last one on March 28, LSU Ext office in Napoleonville – 34 tons



# TYSON, JBS, CARGILL, NATIONAL BEEF

- CONTROL 85% OF BEEF, 70% PORK, 54% OF POULTRY





LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY  
MIKE STRAIN DVM  
COMMISSIONER



May 27, 2021

The Honorable Merrick Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave, NW  
Washington, DC 20250

Dear Attorney General Garland:

On behalf of Louisiana's farmers and ranchers, I would like to express support for the continued investigation by the U.S. Department of Justice into the nation's meatpacking industry and beef supply chain. Eleven state Attorneys General and a growing number of U.S. Senators and Representatives have also signed letters to this effect. Over the past year, I have consistently heard from beef producers in reference to the low farm gate receipts for cattle. Further, the substantial margins between live cattle prices our ranchers receive and the retail prices consumers pay at the grocery store are a continuing source of concern and frustration for Louisiana's beef producers. This investigation is necessary to determine the root causes of these discrepancies, to rectify the price differentials, and to further ensure fairness and market transparency.

Especially today, in the COVID-19 environment with input costs on the rise and scarce labor, our producers are working harder than ever to provide nutritious, safe, affordable protein for the world and be good stewards the land. With dwindling profit margins, it is imperative that we consider every step in the supply chain to assure that our ranchers stay in business, as it is almost impossible for a beginning farmer to build the asset base necessary to obtain lands, buy breeding stock, and acquire the equipment necessary to be successful. Our ranchers' ability to stay in business is crucial to the success of Louisiana and the United States. Louisiana is home to over 11,000 producers and 575,000 head of cattle with an annual direct economic impact over \$475 million. The cattle industry is critical to the base economy of our state.

The significant concerns of our cattle industry stem from the historical consolidation of meat processing companies in the U.S. and the minimal competition that exists in this sector of the beef supply chain today. After years of substantial profit margins for packers and low market prices for live cattle, our producers are increasingly concerned about the level of control these few companies have over the live cattle market. If any market manipulation does exist, it is fatal for the long term survival of the American beef industry. Simply put, we ask that fairness and equity in the beef market be restored.

I appreciate your recognition of this issue and support further investigation by the DOJ.

Sincerely,

Mike Strain, DVM  
Commissioner



**U.S. Department of Justice**

Office of Legislative Affairs

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*Office of the Assistant Attorney General*

*Washington, D.C. 20530*

January 4, 2022

Mike Strain, DVM  
Commissioner  
Louisiana Department of Agriculture & Forestry  
5825 Florida Blvd., Suite 2000  
Baton Rouge, L.A. 70806

Dear Commissioner Strain:

This responds to your letter to the Attorney General, dated May 27, 2021, expressing concerns regarding potential anticompetitive activities in the beef industry. The Department of Justice (Department) appreciates your interest in this matter.

Department policy limits my ability to confirm or deny the existence of investigations relating to law enforcement matters. We can assure you, however, that we take very seriously any potential violations of the antitrust laws in the critically important meatpacking industry, and we will take all appropriate enforcement actions to protect both consumers and livestock producers. The Department criminally prosecutes conspiracies to fix prices, as evidenced by several recent indictments of executives and companies in the chicken processing industry. The Department also pursues civil enforcement actions against other conduct that harms competition but falls short of price fixing or market allocation. To the extent appropriate under the relevant laws, we are also committed to working hand in hand with our counterparts at the Department of Agriculture to protect and promote competition.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

*Theo Stamos*

Theo Stamos  
Intergovernmental Liaison