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March 24, 2020

To: all New Jersey Farm Bureau members

From: Ryck Suydam, president

Re: COVID-19 EMERGENCY-MEMBER BLAST #1

We write to you in a special blast (memo sent only by electronic communication) to disseminate what we think is a helpful update about the virus situation. This is in addition to our weekly newsletter, website posts and verbal communications from the Farmhouse. In cases where interpretation is needed, these are our best judgements about the various announcements being made by the state and federal government. Ultimately, we defer to Secretary of Ag Doug Fisher and the NJDA as having the official word and we will work with them cooperatively.

### **CONTEXT:**

Governor Murphy's EO (executive order 107) on Saturday (March 21) was a game-changer, as it imposed a modified lock-down for the entire state. It closes down **non-essential retail businesses** and orders those employees to remain at home. There are exceptions to this for businesses considered "essential," and this EO supersedes those previously issued in its strictness.

### **GOOD NEWS FOR AGRICULTURE**

By all the "containment" directives issued to date, agriculture and its supportive businesses have been deemed "essential" and are therefore exempt from shut-down. EO 107 specifically mentions "farms" and "farm markets"; since agriculture in most aspects is considered a wholesale not a retail business, it should be exempt; the federal Department of Homeland Security defines agriculture as an "essential industry" (see 11-page March 20 CISA guidance document), which New Jersey adopted in its entirety. EO 107 expressly exempts "engaging in outdoor activity," thus allowing field-orchard work and commercial landscaping. The authority to issue further clarifications on "essential business" is vested with the Superintendent of State Police, to whom Ag Secretary Doug Fisher may appeal if need be.

### **QUESTIONS ON HOW AG IS AFFECTED:**

We all know about the diversity of New Jersey agriculture and interrelated agribusiness. So, despite the exempt status noted above, there is still room for questions and concerns by those who seek further assurance. NJFB has prepared a document to be found on its njfb.org website listing websites and providing links useful to farmers and ag commodity producers to help answer those questions. These include state government executive branch, Department of Ag, Rutgers Cooperative Extension, State Chamber of Commerce and others. In particular, look for "Covid-19 and New Jersey Agriculture Update-March 23rd" on the njfb.org website.

In general, all farming and farm marketing activities may continue as usual provided they all still adhere to **social distancing ground rules**. Farms may take delivery of supplies regardless of the time of day. Farm employees or contractors may travel to/from farm locations; it is advisable for a farm operator to issue a “free pass” letter for those workers connecting them to your farm and keep it handy at all times. Keep in mind that it will most likely be local authorities that do any enforcement, more so than state police or state agency personnel. Be smart ... avoid allowing anything that looks like a crowd gathering on your farm or at your retail market.

### **SEASONAL LABOR:**

Last week, H2A labor users became very concerned about a blockage in the routine processing of ag visa contract workers, particularly those who are processed at U.S. consulate offices in Mexico. That was followed by an announcement that the U.S.-Mexico border was to close except for essential people and cargo. By week's end, fast action by ag associations, congressional offices, the USDA and the White House helped to alleviate each problem situation.

But a larger question still looms: will seasonal ag workers from Puerto Rico, Florida and elsewhere still follow routine movement to New Jersey agriculture? We cannot answer this right now. But, be guided that “ag is an essential industry,” seek normal DOL approval and realize society still requires a food supply and a labor force to go with it. We will pass along any insights that are made known to us.

### **GREEN INDUSTRY IMPACTS:**

The nursery and landscape industry have generated many questions about the Covid-19 emergency, particularly on the issue of “essential business.” We are encouraged by the clarifications now coming in, as expressed by the NJNLA and the NJCLA. There are still some questions pertaining to retailing of nursery products, but we think there's a logical interpretation to support keeping garden centers open. NJNLA has requested Ag Secretary Fisher to help on its behalf.

More troublesome is the situation facing greenhouse operators getting ready to deliver Easter plants. Church service closings are stunting demand. Creative, spontaneous marketing options may be required. PLEASE NOTE: Keep good records of any product dumping caused by the disruption in normal marketings! The fiscal stimulus legislation in Congress or state government may eventually offer redress. **This is true for all commodities.**

### **EQUINE INDUSTRY IMPACTS:**

We think normal equine farming practices that do not involve the public are fine. Horse farms that market directly to the consumer, we also think are fine. However, the order to cancel exhibitions, fairs and shows means equine events for the public are cancelled; this would include group lessons. Access to boarded horses for their owner should be permitted, in our opinion, but only pursuant to terms for social distancing adopted by the farm operator and for no more than a maximum of 10 people at any one time. Hand-washing and equipment sanitizing is a must. We believe workers employed by the farm, including contractors like farriers are eligible to continue working, subject to compliance with social distancing guidelines and hours of operation set by the farm owner. NOTE: the American Horse Council has posted more detailed information about the responsibilities of horse farm owners and their visitors. Go to <https://www.horsecouncil.org/covid-19-resouces/>

## MISC. OTHER:

- USDA Farm Service Agency is open but by appointment only. Please call in advance.
- some other commodities are struggling with marketing issues by the shut-down order.
- Farm Credit East is open for business but access to the office is restricted to the staff. Call ahead.
- NJFB's website ([www.njfb.org](http://www.njfb.org)) has its own reporting of state executive orders under a tab entitled "COVID-19 Update" and is dated the day of website posting. **Contains links to** full orders by the governor, Rutgers fact sheets, NJ Business Action Center, Homeland Security CIA (Cybersecurity and Infrastructure Security Agency) 11 pager on identification of essential critical infrastructure workers, and consolidated information about the virus outbreak at [www.covid19.nj.gov/](http://www.covid19.nj.gov/).
- for information on food safety and sanitation issues, go to the website of Rutgers Food Safety Teams at: <https://onfarmfoodsafety.rutgers.edu/covid-19-information/>.
- Brian Schilling, director of Rutgers Cooperative Extension, announced on March 22<sup>nd</sup> that all in-person events and programs under auspices of Rutgers Cooperative Extension are suspended through at least March 31<sup>st</sup>. For further information go to: [www.njaes.rutgers.edu/extension](http://www.njaes.rutgers.edu/extension).
- please note: future blast broadcasts from Farm Bureau are depended upon accurate email or fax number information. Please contact Deb Pribell at the Farmhouse ([debbiep@njfb.org](mailto:debbiep@njfb.org)) or call the Farmhouse.
- a very useful website for New Jersey farmers: [www.nj.gov/agriculture](http://www.nj.gov/agriculture).

## SUMMARY:

- NJFB is to be a resource for its members in these challenging times of medial emergency and interruptions to the economy.
- we encourage producers to continue to plan and plant. The economic rebound is vital to the health of our people.
- doctors, nurses and scientists are doing their part, we in agriculture need to do ours.

