Building Strong and Vibrant New York Communities

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Crop Update August 24, 2017
Paid Family Leave and Other Employee Related Insurance

I know there is a pattern of coverage of NYS regulations on my part. A lot of that has to do with the frequency with regulations changing in NY. Employer obligations to employees in NY is constantly evolving. Proposed laws specific to farms and passed laws that apply to most employers has been particularly trendy over the last five years. Relatively speaking, PA has been quiet.

I’ve discussed paid family leave (PFL) in a prior crop update. I just wanted to remind growers of some key provisions. Recently letters went out too many farmers and other employers instructing them to begin withholding employee wages to fund PFL. If wages were not withheld, employers would have to fund PFL out of pocket.

Workers compensation is required for virtually all farms or at least those that fit the following description: Farm workers whose employer paid $1,200 or more for farm labor in the preceding calendar year. Note that coverage is not required for paid/unpaid owners, officers, spouses or minor children.

Farmers have a partial exemption from short-term disability. That partial exemption exists in the same form for PFL. Coverage is not required for their “farm laborers”. Employees of the farm that perform nonfarm activities such as bookkeeping and truck driving are required to be covered by disability and PFL. While the regulations do try to define what farm laborers are, there is clearly a grey area.

I would encourage growers to seek out the cost of short-term disability insurance for laborers falling into that grey area. If the employees are not exempt, the farmer is liable for both short-term disability and PFL. If a grower elects to provide coverage, payments to PFL are made through payroll withholdings.

Many farmers will also hire individuals for short-term periods. Short term hires are also exempt from PFL. Farmers have the option of obtaining waivers from these employees in case the short term employment becomes long-term. If the farmer has such a waiver, the employee would be responsible for back PFL payments.

Something that applies to PA as well as NY is Federal Unemployment Tax Act. 37 years ago most farmers were exempt from unemployment insurance. Federal law has been fairly stagnant on that issue.

Federal Unemployment (FUTA) Tax

You must pay FUTA tax if you meet either of the following tests.

- You paid cash wages of $20,000 or more to farmworkers in any calendar quarter during the current or preceding calendar year.
• You employed 10 or more farmworkers for some part of at least 1 day (whether or not all at the same time) during any 20 or more different calendar weeks during the current or preceding calendar year.

These rules don’t apply to exempt services of your spouse, your parents, or your children under age 21.

Keep in mind, FUTA taxes are due quarterly. If you exceed $20,000 in the 4th quarter of 2017, FUTA taxes for 1st quarter payroll is already late.

Kevin speaking at his station during the LERGP Open House hayride tour.
INSURING GRAPES
NY, 2017

Crop insurance is a safety net for farmers that helps you manage risk. If you have a crop failure, crop insurance can help you farm again next year.

Important Insurance Deadlines
- **Aug. 15, 2017**: Premium Billing Date
- **Nov. 20, 2017**: Sales Closing, Policy Change, Cancellation, Termination Date
- **Nov. 20, 2017**: End of Insurance Period
- **Jan. 15, 2018**: Acreage / Production Report Date

Over 40 grape varieties are insurable in these counties:
- Cattaraugus
- Chautauqua
- Erie
- Niagara
- Ontario
- Schuyler
- Seneca
- Steuben
- Suffolk
- Ulster
- Wayne
- Yates

Grapes in other counties may be insured by written agreement from RMA

NYS Grape Crop Insurance Performance

for every $1 grape producers spent on crop insurance premiums from 2012 to 2016, they received $2.07 in losses paid, on average

Learn more & sign up:
Explore your personalized crop insurance costs and loss payments under different yield outcomes at [ag-analytics.org](http://ag-analytics.org).
To sign up, contact a crop insurance agent. Find an agent using the Agent Locator tool at [rma.usda.gov/tools/agent.html](http://rma.usda.gov/tools/agent.html)
Lake Erie Regional Grape Program Open House Celebrates 25 Years of Research and Extension

As you drive west on Route 20 in Chautauqua County, NY, just after leaving the Brocton/Portland area you will see a subdued brown sign that identifies the Cornell Lake Erie Research and Extension Laboratory (CLEREL) on the right. Over the years, many of those who have noticed the sign, and the facility, have asked the question “What do you do there?” To help in answering this question, and to celebrate its 25th Anniversary, the Lake Erie Regional Grape Program held an Open House on Saturday, August 12, 2017.

Approximately 85 members of the local community took the opportunity to meet extension and research staff from the Lake Erie Regional Grape Program, NYS IPM Program, Cornell Vegetable Program and Cornell Willow Breeding Program. Senator Cathy Young started the Open House with a presentation of a proclamation for the 25th anniversary of the Lake Erie Regional Grape Program. Jacqueline Chariot of Congressman Tom Reed’s staff was also on hand to present a commendation congratulating LERGP on their 25th anniversary.

Open House participants were then off to explore the CLEREL facility and learn about the various research and extension projects through displays in and around the main building. A hay wagon ride amongst the vineyards, vegetable plots, willow plantings and hop yards found at CLEREL was available and participants heard directly from a project team member at five stops along the route. Between stations, Dr. Terry Bates, Director of CLEREL and Luke Haggerty, Constellation Brands, treated tour participants to a guided tour of the property and the history of grape growing in the Lake Erie region. After filling up with knowledge, open house participants enjoyed a hotdog and hamburger BBQ courtesy of the Lake Erie Regional Grape Program.

Research topics presented by LERGP specialists and other guests, included variable rate bud thinning (Terry Bates) and sensor use to develop management zone maps in vineyards (Thom Betts –grape grower, Westfield, Rhiann Jakubowski and Jackie Dresser) - both part of the USDA/NIFA SCRI project, cover cropping in grapes and hops (Kevin Martin), Willow breeding program (Larry Smart - Department of Horticulture), sustainable and organic vegetable production practices (Darcy Telenko – Cornell Vegetable Team ), and IPM projects on weed management and biological control of two spotted spider mites in hops, funded by the NY Farm Viability Institute.
Rhiann Jakubowski, Jackie Dresser and Thom Betts speak about the GIS mapping of vineyards and how it can be used for variable rate management of vineyards.

Tim Weigle holds up a bine of hops before putting it into the harvester machine to demonstrate how it removes the hops from the bine.
**Grape Berry Moth**

As seen in the table below, with the exception of North Appleton, the GBM model on NEWA is reporting that we are past the point where grape berry moth larvae are susceptible to any insecticide treatments. If you have vineyard blocks with a history of late season grape berry moth damage, the new recommendation is to continue insecticide applications on a 10- to 14-day schedule due to the overlap of generations producing eggs (and therefore larvae) later into the season. Be aware of seasonal use limits and days to harvest intervals of any insecticides you are using for late season applications.

If you have any questions on implementing the GBM model in your vineyard operation, please get in touch with me thw4@cornell.edu or 716.792.2800

**Podcasts**

We continue to put them up and we would like to hear from you. Check out the latest podcasts with members of the LERGP discussing Grape Pests, powdery mildew and NEWA and managing grape berry moth at [http://lergp.com/podcasts/](http://lergp.com/podcasts/). If you have a specific topic you would like to see covered, please let us know.

<table>
<thead>
<tr>
<th>NEWA Location</th>
<th>Wild grape bloom date*</th>
<th>DD Total on Aug 24, 2017</th>
<th>Forecasted DD for Aug 29, 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Versailles</td>
<td>May 28</td>
<td>1975</td>
<td>2055</td>
</tr>
<tr>
<td>Dunkirk Airport</td>
<td>June 1</td>
<td>1863</td>
<td>1945</td>
</tr>
<tr>
<td>Sheridan</td>
<td>May 28</td>
<td>1975</td>
<td>2055</td>
</tr>
<tr>
<td>Silver Creek</td>
<td>May 31</td>
<td>1912</td>
<td>1995</td>
</tr>
<tr>
<td>Portland Escarp.</td>
<td>May 28</td>
<td>1933</td>
<td>2012</td>
</tr>
<tr>
<td>Portland</td>
<td>May 29</td>
<td>1949</td>
<td>2028</td>
</tr>
<tr>
<td>Westfield</td>
<td>May 28</td>
<td>2009</td>
<td>2092</td>
</tr>
<tr>
<td>Ripley</td>
<td>May 28</td>
<td>2009</td>
<td>2092</td>
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<tr>
<td>North East Escarp</td>
<td>May 27</td>
<td>1948</td>
<td>2025</td>
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<tr>
<td>Harborcreek</td>
<td>May 28</td>
<td>1993</td>
<td>2080</td>
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<tr>
<td>North East Lab</td>
<td>May 29</td>
<td>2026</td>
<td>2115</td>
</tr>
<tr>
<td>Erie Airport</td>
<td>May 26</td>
<td>2066</td>
<td>2154</td>
</tr>
<tr>
<td>Ransomville</td>
<td>June 3</td>
<td>1850</td>
<td>1933</td>
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<tr>
<td>Somerset</td>
<td>June 8</td>
<td>1759</td>
<td>1845</td>
</tr>
<tr>
<td>North Appleton</td>
<td>June 11</td>
<td>1614</td>
<td>1700</td>
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</tbody>
</table>

* Estimated date provided by NEWA website
In the Vineyard (8-24-17)

**Phomopsis**

The abundance of phomopsis shoot infections observed this week (Figure 1), in any vineyard that was checked, brought me back to the beginning of the season. If you remember, the season started out wet (May and June). Due to the cool, wet weather in May, shoot growth was minimal for a period of about a week. We started reporting in the Crop Update (mid-May) about extensive phomopsis shoot infections in the region which occurred between the 1” - 3” stage of shoot growth. Few fungicide applications were applied in the region during this period (1”- 3” stage) which left vines vulnerable to phomopsis infections. Our initial concern was not only the extent of shoot infections but more importantly infections of rachises and berry stems (Figure 2). Phomopsis rachis lesions can cause girdling resulting in loss of clusters. This can become more apparent as we approach harvest. In addition, pedicel (berry stem) infections can result in fruit infections later in the season after veraison.

Fortunately, the majority of growers did apply fungicide applications for phomopsis after the 3” stage and through the first Postbloom spray to protect against additional shoot, rachis and berry stem infections.

So, as we approach harvest will we see any appreciable crop loss due to early phomopsis infections? This remains to be seen but we will know the closer we get to harvest.
Weather: At our location by the lake, our August rainfall total is now 2.04”. We have accumulated 504 growing degree days so far during August and we now have 2100 gdds as of April 1. Rain is in the forecast for today and tomorrow with high temperatures below average over the next 3 days.

Diseases: Rainfall over the period of 21-22 August brought some much needed water, but did not generate a downy mildew infection period in most places along the belt, according to DMCast (Versailles is an exception). The extended dry period before the more recent storms has greatly limited the potential for this disease to spin out of control with just a shower or two in most places, and more wet weather will be needed to make downy mildew a widespread threat again. Nevertheless, regular scouting is still essential to really know what’s going on out there. The use of NEWA in combination with regular scouting will help you keep a watchful eye on the progress of this disease in your vineyard, especially if you’re growing susceptible wine varieties.
Survey: Impacts and Farmer Responses to 2017 Heavy Rainfalls

Background: March through July of 2017 was a period of above average rainfall in much of New York. Rainfall often came as heavy downpour events, leading to agricultural damage and disease. The purpose of this survey is to gather information on regional impacts and how farmers coped with this situation, so that farmers and those institutions and industries that support farmers will be better prepared in the future.

Contact Information: For information and questions pertaining to this survey contact Shannan Sweet: Email - sks289@cornell.edu; Phone - 607 255 8641; Address - 126 Plant Science Building, Dept. of Horticulture, Cornell University, Ithaca, NY 14853

Please respond to the following questions if your farm experienced heavy rainfalls or flooding in spring-summer of 2017. For those who prefer to complete the survey online, here is a link: https://cornell.qualtrics.com/jfe/form/SV_0uo09Hc67IsVFfn

Thanks for your consideration!

Cheers,
Shannan

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1. Where is your farm located (nearest county)?

2. In the table below, list the crop (or top 5 crops) that you grow, approximate acreage, and your best estimate of 2017 percent yield loss due to heavy rainfalls and/or flooding.

<table>
<thead>
<tr>
<th>Crop</th>
<th>Approximate Acreage</th>
<th>Estimated Yield Loss (0-100%)</th>
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3. Which of the options below describes issues or problems experienced on your farm related to heavy rainfalls in 2017 (circle all that apply)? Next to each issue that you circled please rate the importance of that issue in relation to economic impact on your farm (check one box for each issue circled).

   a. Field flooding and/or saturated soils ..............................................
   b. Soil erosion .......................................................................................
   c. Crop disease ......................................................................................
   d. Unable to use equipment due to flooding and/or saturated soils ...........
   e. Unable to plant and/or delays in planting or seeding .........................
   f. Acres no planted ..............................................................................
   g. Acres not rotated ..............................................................................
   h. Acres in “prevented” planting (i.e. for crop insurance) .....................
   i. Lack of field access for important farm operations ...........................
   j. Unable to fertilize, use herbicides and/or pesticides ...........................
   k. Unable to harvest and/or delays in harvest ........................................
   l. Animal access to fields was limited .................................................
   m. Animal health was affected .............................................................
   n. Manure management issues arose ......................................................
   o. Other (describe) ..............................................................................

<table>
<thead>
<tr>
<th>not important</th>
<th>somewhat important</th>
<th>fairly important</th>
<th>very important</th>
<th>extremely important</th>
<th>N/A</th>
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4. Was the quality of your crop negatively impacted by any of the issues listed in #3 above (circle one)? Yes | No

5. Which of the options below best describes the likely economic impact the 2017 heavy rainfalls on your farm (circle one)?
   a. A nuisance, but almost no economic impact
   b. Minor
   c. Moderate
   d. Severe
   e. Other (describe)

6. Did you have enough infrastructure and/or equipment to help deal with heavy rainfalls in 2017 (circle one)? Yes | No

7. What type of infrastructure do you have on your farm to help deal with heavy rainfalls (circle all that apply)?
   a. Drainage ditches
   b. Drainage tile
   c. Water holding ponds
   d. Other (describe)
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LERGP Links of Interest:

Go to http://lergp.cce.cornell.edu/ for a detailed calendar of events, registration, membership, and to view past and current Crop Updates and Newsletters.

LERGP Web-site:
http://lergp.com/

Cornell Lake Erie Research & Extension Laboratory Facebook page

Efficient Vineyard Web-site:
https://www.efficientvineyard.com/

Table for: Insecticides for use in NY and PA:
http://lergp.cce.cornell.edu/submission.php?id=69&crumb=ipm|ipm

Crop Estimation and Thinning Table:

Appellation Cornell Newsletter Index:
http://grapesandwine.cals.cornell.edu/cals/grapesandwine/appellation-cornell/

Veraison to Harvest newsletters:
http://grapesandwine.cals.cornell.edu/cals/grapesandwine/veraison-to-harvest/index.cfm

NEWA:
http://newa.cornell.edu/
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Cornell University Cooperative Extension provides equal program and employment opportunities. Contact the Lake Erie Regional Grape Program if you have any special needs such as visual, hearing or mobility impairments. CCE does not endorse or recommend any specific product or service.

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