

NEWS, NOTES & QUOTES



National Newsletter of the Mulch & Soil Council

June 2022

COUNCIL NEWS

JULY COMMITTEE MEETINGS



The next meetings of MSC committees will be held in Annapolis, MD, on Tuesday afternoon, July 26, 2022, starting at 1:30pm. The tentative schedule of events include (times subject to change):

- 1:30pm Certification Committee
- 2:30pm Standards Committee
- 3:15pm Transportation Committee
- 4:15pm Mulch & Soil Research Foundation

Unless otherwise announced, all meetings of the Mulch & Soil Council are open to any member in good standing; however, a committee may call an executive session on advice of counsel to discuss sensitive issues when necessary.

Participation of observers in discussions is determined by the committee chair. If you plan to attend any or all committee meetings, we would appreciate your letting the office know in order for us to allow enough seating space for everyone. To participate, contact: membership@mulchandsoilcouncil.org.

###

JULY BOARD MEETING



The MSC Board of Directors will convene its next meeting on Wednesday, July 27 at 8:00am -12:00pm in Annapolis, MD. If any member has an issue they would like the Board to consider, please submit your topic to Executive Director Robert LaGasse no later than 5:00p.m. Central Time on July 11 at execdir@mulchandsoilcouncil.org.

All meetings of the MSC Board of Directors are open to any member in good standing; however, the Board may call an executive session on advice of counsel to discuss sensitive issues when necessary. Participation of observers in discussions is determined by the Board president. If you plan to attend, we would appreciate your letting the office know in order for us to allow enough seating space for everyone. To participate, contact membership@mulchandsoilcouncil.org.

###

MAY BOARD MEETING REPORT



The MSC Board of Directors held a teleconference in May for their quarterly meeting. President Jim Weber (Ohio Mulch) opened the meeting noting reports of poor weather impacting industry sales and numerous challenges caused by short supply of parts and equipment throughout the industry. Improving weather conditions should get the season back on track, but parts shortages will remain an issue for some time to come. The Board then approved the minutes of its January meeting in Savannah.

Director Confirmation: MSC Member Kellogg Garden Products was re-elected to the Board in 2021 and that seat on the Board was represented by Ron Kane who has left the company for another business opportunity. Kellogg requested that its official representa-



tive be changed from Ron to company president Rob Hudiburg. The MSC officers and directors unanimously confirmed the change and welcomed Rob to his first meeting.

MEET ROB HUDIBURG

Rob Hudiburg is President at Kellogg Garden Products and the first non-family member to serve in that role in the almost 100 year history of the business. He joined the company in 2011 as V.P. of Sales & Marketing. Over the last 10 or 11 years he led the company's transition to only manufacturing OMRI Listed Organic Soils and Plant Foods, and also spearheaded the company's expansion from a West Coast brand to a more national platform and presence. He assumed responsibility for Finance, HR, & Admin in 2018, added Operations responsibility in mid-2020 and became President in 2021.



*Rob Hudiburg, President
Kellogg Garden Products*

He is passionate about collaboration and believes the answers to the business challenges of today and tomorrow can be found by working together, listening, and always striving to embody a spirit of humility and integrity in all we do. Rob lives in the Texas Hill Country north of San Antonio with Linda, his wife of 23 years and their 2 sons, Jared and Jacob, and one Chocolate Lab named Brodie.

Rob says that, "More than a decade ago I never expected to find my career calling in the soil industry, even though I've been in the Home Improvement industry working with large retailers for nearly 30 years. But the combination of the people at Kellogg and in the industry, the genuine good that happens as a result of our products, and the opportunity to work for and with the Kellogg family has made all the difference."

Staff & Financial Reports: The Board then reviewed the report of Executive Director Robert LaGasse on the staff activities since the last meeting in January. The Treasurer's report on financial activities through the end of April was also reviewed in detail and approved.

MSC Consolidated Audit & IRS 990s: The Board then reviewed the MSC/MSRF FY2021 Consolidated Annual Fiscal Audit report prepared by the independent CPA firm of Carr, Riggs & Ingram. Bob LaGasse reviewed the unqualified opinion statement and conducted a page-by-page review commenting on financial data as it appeared and pointing out notes for process review, related party notices, and more before the Board unanimously approved the report. Finally, the Board approved the hiring of the accounting firm McMahan, Vinson & Hubbard to produce the MSC and MSRF IRS Form 990 reports.

Committee Reports:

- The Certification Committee staff reported that there are 285 products currently certified after 1 product was withdrawn by the manufacturer and 8 products were decertified by the Council. The audit team has completed sample tours in the south-east and southern regions collecting 136 product samples. The committee reported that the financial status of the certification program is on budget.
- The Standards Committee has no active projects at this time.
- The Honors Committee is collecting nominations from members through June.
- The Nominations Committee confirmed all incumbent directors whose seats expire in 2022 are will to run for re-election. A call for nominations will be issued in August.
- The Transportation Committee deferred its report to the ELDT discussion later in the agenda.
- The Industry Statistics Committee reported the issuance of the 2022 Supply Chain Survey and preparations for a 2021 vs 2022 YOY sales survey in July.



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Legislative/Regulatory Issues:

- A. **H-2B Non-Immigrant VISAs:** The ED is working with DCLRS to determine if the H-2B non-immigrant work visa program might help with industry labor issues. The answer is a definite maybe in that the program could work for some members but the annual visa caps make competition for visas and workers extremely high. There are a few potential advantages we can explore, but we need more producer input to know better if and how we can approach this. Bob will arrange a meeting with Board members and Laurie Flannigan at DCLRS to explore the issue more.
- B. **Legislative Monitoring Cancelled:** Bob reported that our contract with Contexture.ai who does our state legislative & regulatory monitoring was cancelled as the company is changing their business focus away from that service. This happened only 2 weeks ago and we have been investigating alternate contractor services. Two contractors were discussed and the Board authorized moving forward with the Billtracker50 legislative services.
- C. **ELDT Options Investigations:** Feb. 7, 2022, MCSCA changed the rules on Entry Level Driver Training (ELDT) requiring a certificate from an FMCSA listed driver training school or program before anyone can take the CDL test for class A or B or HMEs. MSC's 2022 Supply Chain Survey found that 24% of members had their own in-house driver training program that is now prohibited. The National Propane Gas Association (NPGA) developed a self-study knowledge and company behind-the-wheel (BTW) training program acceptable to FMCSA that would cost non-member participants \$620/student compared to an average \$6,500-\$7,500/student for a driver school. Since opening in February, NPGA has trained over 300 drivers who have gotten their CDLs. FMCSA muddied the waters when they required an "approved" instructor for BTW training; however, NPGA said that was ultimately decide that any person who has had a CDL for at least 2 years can be an instructor for the class of the CDL he/she holds; so, a driver with a Class A CDL can instruct on Class A and Class B but a Class B CDL driver can only instruct in Class B. That should make having a BTW instructor possible for MSC member companies. Bob recommended MSC inform members of the availability of this program, and the Board agreed.

Meetings:

- A. **Plant Managers Training Course:** Bob advised the Board of the excellent member survey supporting the proposed plant managers training course in Las Vegas in August. To keep member costs down, we will need sponsor support. The Board approved the amended event budget and sponsor solicitation and directed staff to proceed.
- B. **51st Annual Meeting Report:** Annual Meeting Program Chair Joe Ertel reviewed progress on assembling the program for the Charlotte meeting in October. Open committee meetings will be held on the afternoon of October 4th followed by the "Meet the Board" reception that evening. The Board meeting will be the morning of the 5th. That afternoon will be the Crow Report and the 51st Membership Meeting followed by the opening reception and exhibits. On Thursday the 6th, we will open with a diversity panel to discuss how to make industry jobs more attractive to women, followed by a session by Paula Dunn (MBCC Group) on Employee Recruitment & Retention, then a keynote lunch presentation by Brian Jackson at NCSU on growing media shortages and other supply issues. After lunch is a session by Kevin Mersheimer of the Horton Group on Insurance for Industry manufacturers and then a session on safety (possibly fire or personnel) and finally the president's reception to close the meeting. Jim Weber and the Board members thanked

Joe for his hard work on this program. Assoc. ED Shelli Williams reported that 9 of the 10 sponsorship events for the annual meeting were sold within hours of their official announcement and 20 of the 25 exhibit booths were sold the first week announced.

The next Board and Committee meetings will be held in Annapolis, MD, on July 26-27.

###

**BRIAN JACKSON TO
PRESENT 51st MSC
KEYNOTE ADDRESS**

*Join Us in Charlotte
October 4 - 6, 2022*

MSC Annual Meeting Chair Joe Ertel (Oldcastle Lawn & Garden) is pleased to announce that a rising star in the horticultural science profession- Dr. Brian Jackson - will be the keynote luncheon speaker for the 51st MSC Annual Meeting in Charlotte, NC, on October 4-6, 2022.

Brian is a Professor in the Department of Horticultural Science and is the Director of the Horticultural Substrates Lab at NC State University, succeeding our long-time friend and industry expert Dr. Bill Fonteno on his retirement.

Brian has studied and researched soilless growing media since 2003 and has built his research program and professional reputation around the development, utilization, and commercialization of engineered wood-based materials and other peat alternatives used in soilless plant production. Brian is heavily involved with national and international substrate companies in collaborations on innovative solutions for the future of soilless cultivation. He is a frequent writer on topics related to soilless substrates in industry trade magazines, and he often is a speaker at regional and national meetings.

Brian's topic for this important keynote presentation is:

Current Challenges & Opportunities in the Growing Media Industry

The growing media industry, both retail and professional, is facing unprecedented demand, growth, popularity, and significance both domestically and globally. As the global demand for soilless substrates is projected to increase over 400% in the coming decades, coupled with transportation and supply chain uncertainties, future peat supply instability, sustainability concerns, and new growing markets for substrates, we find ourselves facing many unique challenges and opportunities, many of which will be highlighted in this presentation.

Mark your calendar now to attend the 51st MSC Annual Meeting at the Hilton Charlotte Uptown Hotel in Charlotte, NC, on October 4-6, 2022



THANK YOU To Our 2022 Annual Meeting Sponsors

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Plant Managers Training Course

Weights & Measures

August 24, 2022
The LINQ Hotel & Casino
Las Vegas, NV



COURSE OVERVIEW

- In 2018, major updates to the mulch testing protocols in NIST Handbook 133 were adopted.
- In 2019, a series of 6 training videos on checking net contents of packaged mulch and soils were produced by MSC and NIST for state inspector and industry training.
- Where NIST historically offered training on mulch inspections once a year, it now provides continuous training of state inspectors via online instruction; so, **increased training of state officials is likely to trigger increased inspections using the updated test protocols.**
- Industry knows proper product packaging is necessary to maintain a fair and competitive market. Now is the time to make sure you know what to do in a plant inspection.
- Under-filled product packages represent a significant liability to manufacturers for lost profits, state penalties, off-sale products, disruption of business and lost customers -- **you can even go to jail.**
- In the current difficult labor market, company turnover and loss of experienced managers can be a significant problem.
- If your company is not prepared for a major round of state compliance inspections, immediate action is recommended. You must begin updating practices and training of plant personnel immediately.

WHO SHOULD ATTEND

- Every plant manager of a mulch and/or soil packaging plant should attend this program.
- Company owners not familiar with weights & measures and package labeling regulations should attend.
- Company quality control managers and packaging line supervisors should attend.
- MSC members and non-members may participate

COURSE OBJECTIVE

This course will instruct program participants on the requirements for compliance with W&M regulations, inspection procedures, test protocols, package variability, target fill setting, inspection penalties, bulk product guidelines, equipment impacts, BMPs, and product labeling. An inspection demonstration of current NIST Handbook 133 test procedures will be conducted.

The MSC Weights & Measures training course is the first step in a major, nation-wide campaign to assure package compliance and fair competition!

The MSC is presenting this special course on W&M practices and procedures for new plant managers and anyone who wants to refresh their knowledge on this critically important issue.

THANK YOU
To Our 2022
Plant Managers Training Course
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Course Schedule & Content

<p>7:15am - 8:00am Continental Breakfast <i>Sponsored by Loadscan</i></p> <p>8:00am - 8:45am NIST Regulations Product Definitions, Method of Sale, Average & Individual Package Requirements, Sampling Plans, Test Procedures, Inspection Lots, Random & Alternative Package Selection, Test Container Specifications. <i>Instructor: Robert LaGasse, MSC</i></p> <p>8:45am - 9:15am Penalties and Alternatives "Off Sale" & "Removal" Orders, Criminal & Civil Penalties, Detention and/or Arrest, Customer Disruption, Media Coverage & Brand Credibility, WAMIS Listing, Relabeling, POP Signage, Discount to Packaged Quantity. <i>Instructor: Robert LaGasse, MSC</i></p> <p>9:15am - 10:00am Inspection Guidelines Manufacturer's Responsibilities, Inspector's Responsibilities, Retail Vs. Plant Inspections. <i>Instructor: Robert LaGasse, MSC</i></p> <p>10:00am - 10:15am Break</p> <p>10:15am - 10:45am Package Test Demonstration Mulch & Soil Product Fill Test Demonstration, Reading & Recording Data. <i>Instructor: Shelli Williams, MSC</i></p> <p>10:45am - 11:45am Bulk Mulch Volume Principles & Practices Issues with Bulk Loads, Determining/Documenting, Loading Procedures, Customer Education. <i>Instructor: Don Dugger, ScottsMiracle-Gro</i></p>	<p>12:00pm - 1:00pm Working Lunch <i>Sponsored by Komptech Americas</i></p> <p>1:00pm - 1:45pm Determining Target Fill Level Product Variability, Test Results on Mulch Run, Test Results on Soil Run, Target Fill. <i>Instructor: Dr. Bill Fonteno, Emeritus Professor, NC State University</i></p> <p>1:45pm - 2:45pm Equipment Effects Equipment maintenance will affect packaging results. This section will look at how equipment operates and the effect of that operation on package variability with a brief look at personnel safety. <i>Instructor: TBA, Hamer-Fischbein Div. of nVenia</i></p> <p>2:45pm - 3:00pm Break</p> <p>3:00pm - 3:45pm Best Manufacturing Practices Setting Equipment, Determining Bag Size, Setting Line Speed, Quality Control Testing, Operator Training, Setting Lot Criteria and Lot Numbering, Record Keeping, Plant Inventory Control for Inspections. <i>Instructor: Dr. Bill Fonteno, Emeritus Professor, NC State University</i></p> <p>3:45pm - 5:00pm Labeling Guideline & Issues What managers and designers need to know about package labeling laws to avoid fines and product "stop sale" penalties. <i>Instructor: Robert LaGasse, MSC</i></p> <p>5:00pm Course Ends</p>
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Workshop Location

Our meeting will be held at the The LINQ Hotel & Casino on the Las Vegas Strip.

Room Reservations

The LINQ is extending a special room rate of \$72.95 (+ taxes). You will be sent a reservation link upon confirmation of your registration.

Deadlines

Registration for the workshop must be received at the MSC office by August 1, 2022. Space is limited and all registrations will be accepted on a space available basis only.

Workshop Registration:

\$349 Members

\$550 Non-members

Only advanced, prepaid registrations will be accepted

The registration fee covers:

- All Class Instruction
- Course Materials
- Breakfast, Lunch & Snacks
- Completion Certificate

Travel to the seminar, hotel accommodations and extra meals are not included in the registration fee.

Submit one registration form for each participant.

Plant Managers Training Course Registration Form August 24, 2022 / Las Vegas, NV



Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

E-mail: _____

Credit Card

Type of Credit Card:
 VISA MC AmEx

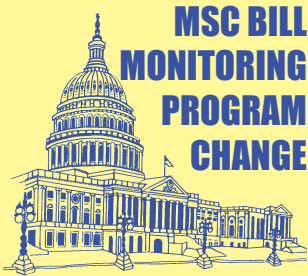
Card #: _____

Exp. Date: _____ CVV: _____

Billing Zip Code: _____

Signature: _____

- Mail to: MSC, 7809 FM 179, Shallowater, TX 79363
- Email to: membership@mulchandsoilcouncil.org



MSC's state legislative and regulatory monitoring program came to an abrupt halt at the end of April when our service contractor gave 2 week's notice of service termination. For reasons not explained, the contractor, Contexture.ai, discontinued service to all of its "Bill Watch" customers and subscribers. As a result, Council staff has been investigating other service providers and what they can do in terms of data collection and information reporting.

At the MSC Board of Directors meeting on May 12, the Board reviewed options and authorized staff to proceed to develop a new and updated state and Federal legislative and regulatory monitoring and reporting system for the Council membership. Primary focus for this program will be on any introduction or changes to laws and regulations mentioning mulch, soil, compost, garden, fertilizer, biostimulant and more. Suggestions for other key words and/or phrases helpful to member businesses are welcomed. Send suggestions to the MSC office to membership@mulchandsoilcouncil.org.

LEGISLATIVE & REGULATORY NEWS

SPECIAL FEATURE

INDUSTRY RESPONDS TO ELDT RULE CHANGE



F M C S A
Federal Motor Carrier Safety Administration



In Savannah in 2003, then ATA and Bulldog Trucking President Philip Byrd explained to members of the Mulch & Soil Council the issue of a looming truck driver shortage with one simple question: "How many of you want your children to grow up to be a truck driver," he asked. Not a single hand was raised. That was almost 20 years ago when the estimated national truck driver shortage was around 20,000.

By 2019 the pre-pandemic estimate for the national truck driver shortage had risen to 60,000 drivers according to the American Trucking Associations (ATA). Much of the shortage is blamed on poor pay, lack of benefits, difficult working conditions and the aging trucker population averaging over 56 years old.

Just this month, futurist Nikolas Badminton told a trucking industry group that post pandemic trucking shows 70% of all goods are now moved by trucking. E-commerce sales went up almost \$220 billion in 2020-2021 and are expected to increase from \$1.5 trillion to over \$7 trillion by 2025 (just 3 years from now).

Other sources have reported that pre-pandemic merchandise returns for brick-and-mortar sales were approximately 10% -12% of total sales, but the massive e-commerce surge caused by the Covid-19 pandemic has resulted in return rates of approximately 20% - 40% of total sales, significantly increasing transportation demands in both directions. The result is the current shortage of truck drivers has risen to 80,000 according to ATA, and Badminton predicts that will explode to 162,000 by 2030, just 8 years from now. Autonomous vehicle operations will fill some gaps in short haul and regional trucking demand, but significant driver shortages will persist into the foreseeable future.

Even with the incredible and unrelenting pressure that transportation issues have on current national supply chain chaos, the Federal Motor Carrier Safety Administration (FMCSA) chose this year to implement a long delayed (since 2016) new rule having significant impact on entry level driver training (ELDT). Previously, anyone who wanted a CDL license only needed to apply and pass the knowledge and skills tests in the state where they live. How the applicant was trained was not an issue — only that they passed the tests.

Effective last February 7, 2022, the FMCSA changed the ELDT regulations to require applicants for a Commercial Drivers License (CDL) including Class A & Class B and/or Hazardous Materials Endorsement (HME) must **FIRST** have a certificate from an approved driver training program before they can apply and take the knowledge and/or skills tests in any state. FMCSA has an online list of over 4,000 approved training programs nationally which can present a geographic challenge for many potential trainees.



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ELDT (Continued)



F M C S A
Federal Motor Carrier Safety Administration



Additionally, training school programs can cost from \$2,000 to over \$10,000 with a national average estimated at approximately \$6,500-\$7,500. These now mandated costs represent another potential barrier to solving an already out-of-control supply chain problem that adversely impacts every business and consumer in the nation.

In objecting to FMCSA prior to the implementation of this rule change, the Mulch & Soil Council was told we had very few allies, and the major trucking industry supported the rule change because they did not generally employ entry level drivers. But whether it was intended or not, FMCSA virtually eliminated most existing in-house driver training programs for small businesses who do depend on entry level drivers, cannot afford to send employees to training schools (due to costs or location) and cannot qualify as an approved driver training program under the new regulations.

According to a February 2022 Supply Chain Survey conducted by the Mulch & Soil Council, 24% of member companies had in-house CDL driver training programs that were essentially eliminated on February 7th.

INDUSTRY APPROACHES TO FMCSA REQUIREMENTS

The mulch and soil industry has responded to the FMCSA ELDT rule change with essentially 3 options:

OPTION 1: Self-Administered In-House Training:

Matt Smith at Smith Creek in Borden, IN, chose to become an FMCSA-approved training facility. Smith Creek Safety Manager Wade Stevens says he had to register online with the FMCSA and was approved as a training facility. Wade noted, "For the ELDT Training program you have to kind of purchase a content program in order to be compliant. They throw a few options out there and we opted to use JJ Keller."

Wade described how Smith Creek paid \$60 each for 20 students to access over 40 hours of Keller online training programs for ELDT training. Wade conducts the training using the Keller resources and then records and tracks progress. Behind-The-Wheel (BTW) training is provided by a qualified CDL driver at Smith Creek, and Wade records and tracks that progress until all training modules and requirements are completed. Then Wade manually enters the data into the FMCSA online database. When everything is approved by the agency, a certificate is issued, and Wade can schedule the driver to take the knowledge and skills tests for a CDL.

Wade states that the new process isn't really difficult, but is more cumbersome and more costly than previous training,. "We only need to train 1 driver every few months; so, the administration isn't really a big problem," Wade says, "but our driver ranks are getting older and retirements are starting to have an impact."

"If you have a higher turnover rate, self-administering as a training provider could become more cumbersome and time consuming if you have to juggle a lot of guys in the program. For the level of turnover we have, I wanted to control the training process and our current program is working well for us," Stevens concludes.

OPTION 2: Hybrid Outside Admin With In-House Training:

For companies that don't have the in-house training resources to support the higher admin level required by the FMCSA rule change, the National Propane Gas Association (NPGA) offers a *hybrid* program approach for outside content and program administration combined with in-house training.

The National Propane Gas Association Administrative Compliance Expert (NPGA ACE) program is open to non-NPGA member companies and provides ELDT training



Matt Smith

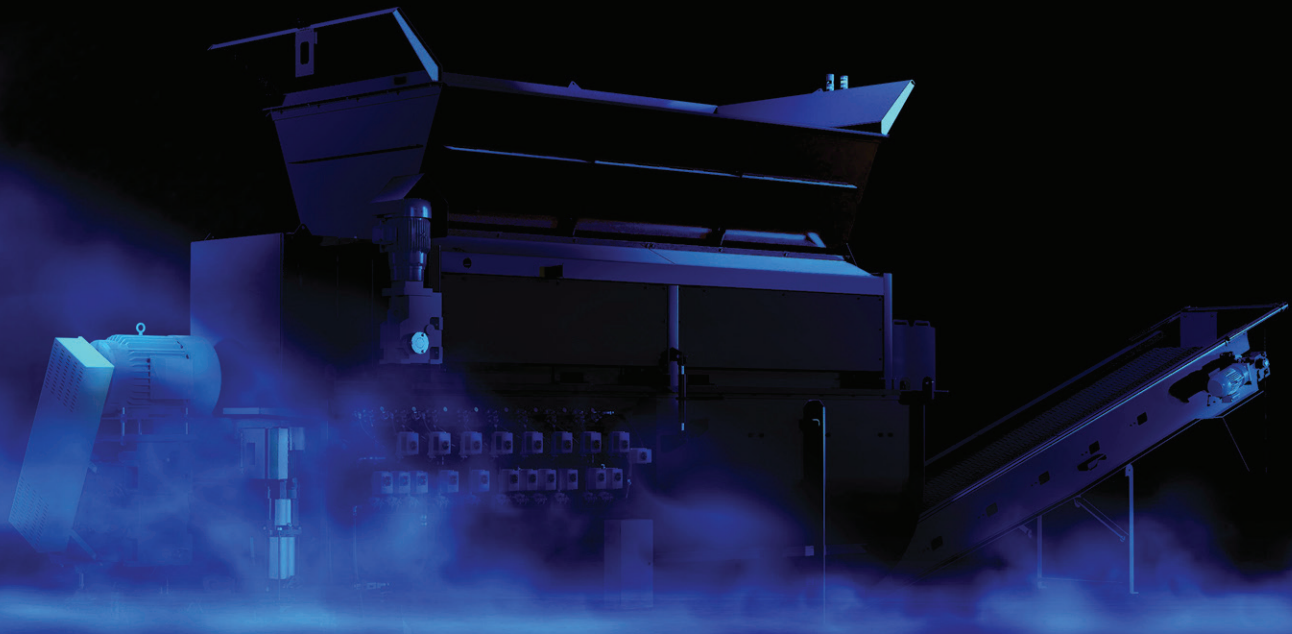


Wade Stevens





Mulch, meet your maker.



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ELDT (Continued)



for CDL Class A/B and HME and is registered with FMCSA as a training provider. It offers two levels of services:

1. **Basic Service:** which is a self-administered program (like Option 1) that provides ACE-generated checklists and 32 training modules of required theory instruction and BTW instruction checklists, ACE-generated checklist of equipment requirements, ACE-generated completion forms and record keeping forms, and ACE staff access for Q&A. **With basic, your company would have to register as a training provider and you would track and submit all student training records and information to the FMCSA.** Non-Member Cost: \$275
2. **Deluxe Service:** provides everything in the basic plan plus access to ACE-generated forms, checklists, ACE Services team review for accuracy and completion of all forms, checklists and completed information, and there is also an assessment at the end of the course (80% passing score). **ACE serves as the Registered Training Provider and submits completion information to FMCSA and maintains driver-applicant records for ELDT compliance.** Non-Member Cost: \$620

If you use NPGA ACE Services, you still use your own staff for BTW instruction. Any individual on your staff who holds a CDL at — or above — that which they are instructing for at least the last two years and meets the CMV instructor requirements in your state, can serve as the BTW instructor. ACE will have the BTW instructor complete forms for ACE's record keeping. ACE can also provide the requirements for the state where you're operating. For more information on the program and the costs for the packages offered, please visit NPGA ACE [website](#) or E-mail: eldt@npga.org.



Steve Liffers

OPTION 3: In-House After CDL Training

Steve Liffers is co-president of Swanson Wood Products in Longview, WA. Steve says, "We have had good success finding employees who want to be drivers; so, they sign a contract and we pay for them to get their CDL at a local FMCSA-approved driving school."

Steve explains, "When the employee gets their CDL, we start in-house training by putting them first in smaller trucks with an experienced driver. When the senior driver says they are ready to go on their own, we step them through a series of larger vehicles with experienced drivers until they are approved to drive on their own wherever we need them."

The student loan for driver training is around \$5,000 and takes about 2 years to repay at which time the driver gets a pay increase which is enhanced even more by the end of the payroll deduction for the loan.

CONCLUSION:

It will take years to determine what, if any, impact the change in ELDT training rules has on over-the-road safety. But in spite of new government regulations and the tremendous shortage in drivers nationwide, mulch and soil companies are finding new ways to meet their needs in an increasingly difficult market.

###



Effective immediately, APHIS is removing 7.5 square miles from the Asian longhorned beetle (ALB) quarantine area in Clermont County, Ohio. The areas include portions of East Fork State Park in Batavia and Williamsburg Townships, north and west of William H. Harsha Lake and Back Run. APHIS determined that these areas could be removed from the quarantine after the program completed final surveys of host trees. East Fork Wildlife Area in Williamsburg Township, north of William H. Harsha Lake, will remain under quarantine. Tate Township in its entirety, and



Batavia Township south and east of William H. Harsha Lake and Back Run and the southern part of East Fork State Park will also remain under quarantine. The full list of areas regulated to contain the spread of ALB are designated in the Federal regulations located at 7 C.F.R. § 301.51-3, and in the Federal Orders at:

<http://www.aphis.usda.gov/planthealth/alb-quarantine>

For more information regarding APHIS' ALB Eradication Program, please contact National Policy Manager, Kathryn Bronsky, at (301) 851-2147.

###

NEW: PLANT BIOSTIMULANT ACT OF 2022



On May 12, Congressman Jimmy Panetta (D-CA) and Jim Baird (R-IN) introduced the Plant Biostimulant Act of 2022, H.R. 7752. Plant biostimulants are products that can be used in both agricultural and non-agricultural settings that improve natural plant nutritional processes, which can result in improved plant health; tolerance to abiotic and other environmental stresses; and improved overall growth, quality, and yield of crops.

Plant biostimulant products and technologies face several challenges that can impede their uses in commercial agriculture, home gardens, turf, and ornamental applications, thus reducing the sustainability enhancements these products offer. The biggest challenge for plant biostimulants being the lack of consistent and predictable path to market for plant biostimulant products in the United States. To address this problem, the plant biostimulant industry is working on the ability to use the term "biostimulants" in commerce and education and clarity on appropriate product claims. To help achieve these goals, the Plant Biostimulant Act will:

- Establish a uniform national definition for "plant biostimulant",
- Establish a definition for nutritional chemical,
- Amend the definition for a vitamin hormone product,
- Require the U.S. Environmental Agency (EPA) to review and revise existing Code of Federal regulations to include this new plant biostimulant definition,
- Amend the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to exclude plant biostimulants from being regulated under the Act, and
- Require USDA to study how plant biostimulant products can contribute to soil health.

MSC will continue to monitor this Act as it moves through Congress. The full text of the Act can be found at [\(CLICK HERE\)](#).

INDUSTRY NEWS

U.S. POTTING SOILS & MIXES MARKET EST. ~\$850M



In a recent market report authored by Arizton Advisory & Intelligence, the global potting soil and mixes market was valued at ~\$2.14 billion in 2021 and is expected to reach \$2.77 billion by 2027. In 2021, the estimated U.S. market value was \$850 million and is expected to grow at the rate of 4.5% annually through 2027.

According to Arizton:

- Increasing demand in enhancing interior aesthetics and improving greenery is one of the major factors driving the global potting soil and mixes market growth.
- The growing residential and commercial segment is expected to witness significant growth in garden and landscaping activities owing to the rise in "green construction" of new homes and buildings.
- User friendly and multipurpose planting mixes and soils can be prioritized in the DIY and residential segments as it is increasingly dominated by indoor gardening, floriculture and ornamental industries, especially in the western markets. It has also become mandatory as the lock down in 2020 enhanced the skill sets of con-

Soils Market (Continued)



- sumers through gardening. This can fuel the demand for potting soil and mixes.
- Garden tools should have more e-commerce presence, and they need to lure more customers and drive sales. Vendors may enter into strategic agreements with home improvement stores and retailers to enhance their product reach in the industry.
- Due to the growing interest in home improvements and maintaining aesthetics, such as ornamental gardening, potting mixes and soils are used as a growing medium. Vendors are providing various specialty clinic mixes and soils to meet the users' needs.
- The concept of indoor gardening has largely gained traction by millennials owing to self-improvement, wellness, and social credibility to opt for quality soil, increasing the demand for artificial soil during the forecasted period.

For more information, visit Arizton at ([Click Here](#))

###

TRUCKING INDUSTRY FORECAST



Futurist Nikolas Badminton explored how the trucking industry could change in the years ahead and what that means when it comes to driver recruitment. Addressing the 2022 trucking industry Recruitment & Retention Conference held June 1-3, Badminton looked at a variety of trends and economic factors when speculating on what may be ahead for trucking.

Future Trucking Markets:

- 70% of all goods are moved by the trucking in US.
- That is >\$800 million in economic value.
- E-commerce sales went up by nearly \$219 billion between 2020 and 2021 and is expected to grow from \$1.5 trillion to more than \$7 trillion by 2025.
- Manufacturers have brought operations back into the country to be able to ship more locally as a result.
- Current driver shortage is over 80,000 truck drivers.
- By 2030 forecasting that to be about 162,000 drivers.
- Autonomous driving technology will not replace all human drivers.
- Emerging mega-regions could absorb 75% of US population growth by 2050; so, regional trucking by 2050 could be a predominant part of the industry.

Trucking Technology:

- Autonomous truck sales to grow to \$88 billion by 2027.
- Self-driving trucks could run continuously without a need for food or sleep breaks, resulting in consistent mileage rates and faster delivery.

###

DRIVERLESS TRUCKS START DELIVERIES



Self-driving trucks soon will make deliveries to Walmart Inc.'s Sam's Club stores in the Dallas-Fort Worth area, marking a significant expansion of autonomous vehicles operating in live traffic.

Gatik, a pioneer of driverless technology, will partner with Georgia-Pacific to drop off goods such as plates, Dixie cups and toilet paper to 34 of the warehouse stores starting in July, the companies said in a statement June 7. The midsize trucks with 26-foot trailers are categorized as Class 6 vehicles, which are smaller than the Class 8 big rigs that currently handle the job.

The deal expands Gatik's driverless-truck operations on the busy roads of the nation's fourth-largest metropolitan area, while building on autonomous service to



Watch driverless truck demonstration at:
<https://youtu.be/8q5wiLFxWqM>

Driverless (Continued)



Walmart facilities that it already handles in Arkansas and Louisiana. The trucks will operate on fixed routes around the clock, seven days a week, and Gatik has its eye on expanding beyond North Texas.

“We’re starting out in the Dallas market, but the focus will be on rolling it out nationwide,” Gatik CEO Gautam Narang said. The goal is to disrupt short haul networks that traditionally were served by trucks with 53-foot trailers, he said.

Georgia-Pacific, which is owned by closely held Koch Industries, said the Gatik partnership eventually would reduce cost and complexity in its supply chain. The trucks will be integrated into the transportation operations of KBX Logistics, another Koch company.

The autonomous trucks will lead to savings at a time when “truckers are hard to come by,” KBX Logistics President Paul Snider said. That will enable the company to reduce inventory on hand at Sam’s Club stores.

“It allows us to replenish more frequently and accurately,” he said.

Koch Disruptive Technologies, also an arm of the family-owned empire, led an \$85 million Series B funding round for Gatik last year to expand the company’s autonomous middle-mile transportation network.

Gatik has been operating self-driving trucks for Walmart in the company’s headquarters city of Bentonville, Ark., since 2019. It went fully autonomous last year after initially employing a safety driver, Narang said.

MEMBER NEWS

The Mulch & Soil Council is pleased to welcome our newest member company:

AFFILIATE MEMBER

Smalis Conveyors, Doug Smalis, PO Box 412, New Stanton, PA 15672
E-mail: dsmalis@mac.com / Web: smalisconveyors.com

New Certified Product

Kellogg Garden Products

Premium Soil

Kellogg Garden Organics All Natural Indoor Potting Mix

Recertified Products

Florida Mulch Inc.

Margo State Line, Inc.

Margo State Line, Inc.

Ohio Mulch Supply, Inc.

Ohio Mulch Supply, Inc.

Ohio Mulch Supply, Inc.

The Scotts Company

The Scotts Company

Mulch

Florida Mulch Hardwood-Cypress Mulch Blend

Black Mulch - Margo State Line

Professional Premium Brown Mulch

Decorative Landscape Ground Cover Natural Accent Hardwood Mulch Style 412

Golden Trophy Premium Landscape Pine Bark Mulch Style 302

Golden Trophy Premium Landscape Pine Bark Nuggets Style 332

Scotts Nature Scapes Advanced Color Enhanced Mulch - Classic Black

Scotts Nature Scapes Advanced Color Enhanced Mulch - Deep Forest Brown

Landscape Soils

Miracle-Gro Lawn Products, Inc.

Nature’s Care Organic Garden Soil w/Water Conserve 0.12-0.10-0.12

Premium Soils

Miracle-Gro Lawn Products, Inc.

Nature’s Care Organic & Natural Potting Mix w/Water Conserve 0.15-0.13-0.15

Terrace Brands

Bonnie Harvest Select Raised Bed Soil 0.12-0.06-0.09

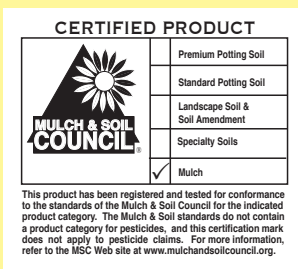
Specialty Growing Media

Terrace Brands

Country Soil Organic Raised Bed Mix 0.05-0.03-0.04

New Member Welcome

Certified Product News



Certification (Continued)

Withdrawn Products

Brentwood Distributions LLC
Ohio Mulch Supply, Inc.

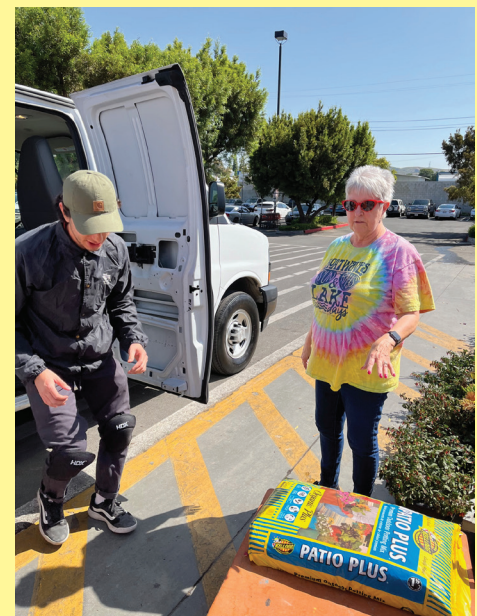
Mulch

Geneva's Organic Farms Red Cedar Mulch Blend
Golden Trophy Premium Landscape Cedar Mulch Blend Style 212
###

AUDIT TEAM TRAVELS TO WESTERN REGION

In late April, MSC's certified products audit team of Carol Ledbetter and JC McGowan headed for the Western Region to collect over 84 product samples from retail outlets or ready-to-ship pallets at manufacturing plants. The process took 5 days and covered over 806 miles.

The Council extends its thanks to all the member company representatives who help the team gather samples and ship test materials around the country.







AUDIT TEAM TRAVELS TO NORTHEAST REGION

In mid-May, MSC's certified products audit team of Carol Ledbetter and JC McGowan headed for the Northeast Region to collect over 78 product samples from retail outlets or ready-to-ship pallets at manufacturing plants. The process took 5 days and covered over 1,300 miles.

The Council extends its thanks to all the member company representatives who help the team gather samples and ship test materials around the country.







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