

## Auglaize County OSU Extension Weekly Agriculture Newsletter – June 10, 2020

### Scouting and Latest Information



Soybean



Corn

Hello!! Good afternoon! I pray you are well.

We had 9 people participate in yesterday's Farm Talk. Lots of good information was shared. Every Tuesday from 8:30 to 9:30 AM we will be hosting a virtual meeting via Zoom that can also act as a simple conference call for those of you not able to get online to view live. The meeting will be set up to discuss key, timely information for your operation and to open the floor for questions and sharing of information. You may propose topics for the next meeting at anytime during the week by e-mailing or calling me. **This coming Tuesday will be the Ag Breakfast. Out speaker will be Sean Wintzer to talk about History and Activities of G.A. Wintzer and Son Co.** Please join use every Tuesday for Auglaize County Farm Talk.

If you are a buyer or seller of hay or straw, let me know and I can keep a list to share with others.

List of individuals searching for hay or straw: None

List of individuals selling hay or straw:

1. About 200 3' X 3' wheat straw bales for sale. This same individual is willing to sell his winter cover crops as forage to anyone interested.
2. At least 500 small square wheat straw bales for sale.

Call the OSU Extension office at 701-541-0043 or e-mail me at [stachler.1@osu.edu](mailto:stachler.1@osu.edu) to get the contact information.

## **Joke: Why did the pig take a bath??**

## **Agricultural Fun (disturbing) Fact: A whopping 40% of all food grown and produced in the U.S. is never eaten!**

Rain fell only 2 days this past week. It is getting quite dry. Rainfall on early Thursday morning, June 4<sup>th</sup> ranged from a 0.2" near Harris and St. Rt. 29 roads to 1.41" near Tri-Township and Lock Two roads. Rainfall on Tuesday ranged from a trace near St. Rt. 67 and St. Rt. 117 roads and near Buckland-Holden and St. Rt. 501 roads to 0.3" near Glynwood and St. Rt. 116 roads. Rainfall for the week ranged from 0.5" near Buckland-Holden and St. Rt. 501, near Santa Fe-New Knoxville and Shelby-Fryburg roads, and near Valley and Idle roads to 1.61" near Tri-Township and Lock Two roads. Rainfall for the week averaged 0.76", 0.19" more than last week. Rainfall is forecasted at least at 25% for today, Saturday, Sunday, Monday, and Tuesday.

The average high temperature now is 80 degrees F, three degrees more than last week. Temperatures were above normal for **6** days of the week and below normal for **0** days of the week. The range in high temperature for the week was 79 to 90 degrees F. The average high temperature for the week was 84.6 degrees F, which is 9.9 degrees F warmer than last week and 4.6 degrees F **warmer than** the current normal high temperature! Temperatures for the next 7 days will be mostly below normal, with Saturday forecast high of 68 degrees F.

## **Wheat**



**Wheat has flowered (Feekes 10.5)**



**Field of wheat**

Wheat development is moving along quite well. All wheat is in the milk stage now. Now we just wait for harvest. I did not change the wheat condition, so it is: 10% excellent, 42% good, 43% fair, 5% poor and 0% very poor. Last week's rating was 10% excellent, 42% good, 43% fair, 5% poor, and 0% very poor. Leaf diseases are still at a very low level!! Just so yesterday's 90 degrees F did not kill the wheat, since that has happened in the past.

## **Alfalfa**



## Most alfalfa hay has been harvested

Much of the alfalfa has been harvested. One field has up to 14" of regrowth already. Alfalfa is looking pretty good. Check alfalfa for potato leafhopper.

## Corn



Current stage of corn (V4)



A corn field

Corn planting is nearly completed! More spot planting had to be done than I thought with some whole fields replanted. Corn has really taken off with the warm weather and Thursday rain. Corn has better color now as well. I'm estimating that 98% of the corn was planted in the county as of this past Sunday. Last year at this time we had 60% of the corn planted in the county, but 99% in 2018! We should be at 96% planted now in Ohio, so we are on schedule. I drastically changed the quality of the corn crop this week! It is not that great. I rated the corn crop as 4% excellent, 43% good, 41% fair, 10% poor, and 2% very poor!. Last week, I rated the corn crop as 24% excellent, 44% good, 25% fair, 7% poor, and 0% very poor. The largest corn at this time is at the V6 stage (6th collar visible). Most corn is in the V4 (fourth collar) to V5 (fifth collar). Most corn is relatively short for its age.

## Soybean



**Most developed soybean (v2)**



**Field of soybean**

Soybeans are growing more rapidly now and do not look too bad. Stands in most fields are good, but stands are minimal and variable in others. Replanting and spot-planting has been done. My estimate is that 97% of the soybeans have been planted in the county as of Sunday. At this time last year only 38% of the soybeans had been planted in the county, but in 2018 99% were planted! We should be at 89% planted now in Ohio, so we are still ahead of historical planting. I estimate 78% of the soybean crop has emerged, so a fair amount of planting got done last week. I downgraded the soybean crop like corn, but not as much. The current condition of soybean in the county is 23% excellent, 45% good, 26% fair, 3% poor, and 3% very poor. Last week's crop condition was 28% excellent, 44% good, 20% fair, 7% poor, and 1% very poor. The most advanced soybean is almost at the V3 stage (3<sup>rd</sup> trifoliate leaf unrolled), but most at V1 (first trifoliate leaf unrolled) to V2 (Third trifoliate leaf unrolled).

## **Weeds**



**Venice mallow, waterhemp, and smartweed**

The biggest topic yet this week is the cancellation of the registration of dicamba applied to dicamba-resistant soybean! At this time if a retailer or farmer has the dicamba products in stock, then in Ohio they can be applied at least until June 30<sup>th</sup> or until otherwise notified. If you do not plan to use these dicamba products, then purchase fomesafen products as this will provide you the best although not always complete control. Waterhemp is present at fairly high densities in most fields this year and is taking off now in height.

### **Insects/other**



## Potato leafhopper is back

## Armyworm is back

The biggest insect news is the discovery of armyworm in corn in some fields on Sunday as I was told. The armyworm is showing up mostly in corn fields that had cereal rye planted into it last year. However scout all corn fields without having resistance to the armyworms at least where cover crops were planted, but also in non-cover crop fields if close to the damaged corn fields. Please check your wheat fields for armyworm as well, especially near any damaged corn fields. See article below about armyworm. The alfalfa weevil density has declined drastically, but still present in some second growth alfalfa. Now it is time to start scouting for potato leafhopper in alfalfa. The threshold on average is one leafhopper per one inch of plant height. In one set of 10 sweeps, I caught 12 leafhoppers in 10 sweeps in a field with alfalfa up to 14" tall. See article below about armyworm.

**With the cancellation of dicamba to dicamba soybean, I did not update the label information below. Not sure of label changes for Engenia (<https://agro.basf.us/campaigns/engenia/tankmixselector/>), XtendiMAX (<http://www.xtendimaxapplicationrequirements.com/Pages/default.aspx>), FeXapan (<https://www.corteva.us/products-and-solutions/crop-protection/fexapan/tank-mix-partners.html>), and Tavium (<http://www.syngenta-us.com/herbicides/tavium-tank-mixes>) this week.** The Engenia label still has the most approved products compared to XtendiMAX and FeXapan. No new herbicide was added to the XtendiMAX label this past week, which totals 252 herbicides. No new adjuvant was added the XtendiMAX label, now totaling 442. No new nozzles were added to the XtendiMAX label, which totals 44. No new Drift Reducing Adjuvant (DRA's) were added to the XtendiMAX label this week, making a total of 107 DRA's. No nutritional products were removed from the XtendiMAX label which totals 259. No new products were added to the Insecticides, Fungicides, Insecticides plus Fungicides, Plant Growth Regulator and Other group on the XtendiMAX label which totals 115. No new adjuvants were added to the Engenia label, which now totals 600. No new herbicides were added to the Engenia label, which brings the total herbicide count to 204. No new products were added to the Other category (growth regulators and fungicides) on the Engenia label, which totals 37. No new insecticides were added to the Engenia label which currently has 49 products. No new Drift Reducing Adjuvants (DRA's) were added to the Engenia label, which totals 131. No new nozzles were added to the Engenia label, which totals 31. No new nutritional products were added to the Engenia label which totals 231 products. No new products was added to the pH Modifier group of the Engenia label which totals 17 products. The FeXapan label has many of same the products and nozzles as the XtendiMAX label, but NOT all are the same, so check the FeXapan label carefully. The FeXapan website has changed drastically! They now have DRA's listed for each product type that must be mixed with FeXapan. There are some products that need no DRA added! There are 13 glyphosate formulations, 229 herbicides, 41 insecticides, 17 fungicides, 96 DRA's, 317 adjuvants, 204 nutritionals, 30 plant growth regulators, 18 other products, and 46 nozzles that have been approved for the FeXapan label. There are 47 herbicides, 101

DRA's, 316 adjuvants, 96 nutritionals, 16, insecticides, 7 fungicides, 8 other products, and 41 nozzles approved for use with Tavium.

**Enlist One** and **Enlist Duo** for Enlist soybeans and corn also have approved tank-mix partners and nozzles like the dicamba products. **There were no changes to the labels.** The list of approved tank-mixtures for both of these products has been updated. Please follow these labels online at <https://www.enlist.com/en/herbicides.html>. There are 48 nozzles, 143 herbicides, 19 glyphosate formulations, 9 glufosinate formulations, 11 Dry AMS products, 85 insecticides, 30 fungicides, 21 plant growth regulators, 645 other products, and 315 fertilizers / nutrients labeled with Enlist One. There are 23 nozzles, 74 herbicides, 48 insecticides, 17 fungicides, 22 plant growth regulators, 8 Dry AMS products, 512 Other products, and 168 fertilizers / nutrients labeled with Enlist Duo.

Other information about the Enlist products include the following:

1. Enlist Duo rate is 4.75 pts/A which only has 1.0 lbs ae/A of glyphosate which is really not enough. You would think you could just add more glyphosate, but you CAN NOT add more glyphosate with Enlist Duo.
2. Enlist One can be mixed with ANY rate of glyphosate, glufosinate and 192 other herbicides.
3. Never use Enlist One alone on Enlist crops and always apply Enlist One at 2 pts/A
4. You CAN NOT add glufosinate with Enlist Duo!
5. When adding a postemergence grass soybean herbicide like quizalofop, clethodim, sethoxydim, or fluzifop to Enlist One add 33% higher rate of these products to reduce the antagonism with grasses OR apply the postemergence grass herbicides 7 days after the Enlist One.

## Upcoming Meetings

1. **Auglaize County Farm Talk.** Every Tuesday from 8:30 to 9:30 AM we will have a virtual agricultural meeting. The third Tuesday will be the Ag Breakfast. Next week's topic is the History and Workings of G.A. Wintzer and Son Co. The link to get onto the meeting is as follows:  
<https://osu.zoom.us/j/2119847503> If you just want to call in the phone number and meeting code are as follows: 646-876-9923 2119847503#



2. **The OSU Farm Office is Open.** The OSU Extension Farm Office Team will open our offices online and offer biweekly live office hours on Thursdays from **9:00-10:30 am EST**. This week there will be a meeting!! Each office session is limited to 500 people and if you miss our office hours, we'll post recordings on [farmoffice.osu.edu](http://farmoffice.osu.edu) the following day. **Register at <https://go.osu.edu/farmofficelive>.**
3. **All OSU Extension face to face meetings have been cancelled or postponed through July 6<sup>th</sup>.** Meetings after this date will go on as planned at least until further notice.

**Answer to joke: Because the farmer said, “Hogwash”!!**

**What is eating my corn?**



Armyworm were first observed Sunday, June 7, 2020 in corn. Since then they have been found in other corn fields where grass cover crops were planted last year. Fields are being devastated enough that replanting will have to occur. Armyworm has not been found in wheat fields at this time. Scout all corn fields planted into a grass cover crop and those corn fields near fields that had a grass cover crop and wheat fields as soon as possible.

The true armyworm does not over-winter in our area. It must travel from the south as the adult moth every spring. Armyworm larvae vary in color from dark greenish-brown to black. There are long pale white, orange, and dark brown stripes along the length of each side of the abdomen. The head is yellowish-brown with a brown network of veins, giving it a mottled appearance. A dark band on the outer side of each proleg may be present on the larvae. A mature larvae may reach a length of up to 1.5 inches.

Most armyworm moths travel north in April and May. Moths are active during the evening and hide in grassy areas during the day. Eggs are deposited in rows or clusters on the lower leaves of grasses or at the base of plants. Eggs hatch in one to two weeks. Newly hatched larvae are pale green and move in a looping motion. Larvae are active at night like the moths. During the day the armyworm larvae can be found under plant debris or in the soil. After completing six instars, larvae pupate just below the soil surface. Adults emerge in one to two weeks. A second generation occurs in late June or early July and a third generation in late August or early September.

Armyworm may feed on corn eating the entire plant if small or stripping the leaves at the top of the plant. In wheat armyworms feed on the leaves, stems and heads of plants. The threshold for wheat is three to five larvae per foot of row. For corn the threshold is when more than 50% of the plants show armyworm feeding and the larvae are less than 1.25 inches long. In corn check 20 consecutive plants in five areas of the field.

There are many insecticides available to control the armyworm in wheat and corn.

Again scout as soon as possible.

## **C.O.R.N. Newsletter**

<https://agcrops.osu.edu/newsletter/corn-newsletter>

**Dicamba takes another blow: Court of Appeals vacates dicamba registration**



Dicamba has had its share of legal challenges, and a decision issued yesterday dealt yet another blow when the Ninth Circuit Court of Appeals vacated the product's registration with the U.S. EPA. In doing so, the court held that the EPA's approval of the registration violated the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), which regulates the use of herbicides and other chemicals in the U.S. Here's a summary of how the court reached its decision and a few thoughts on the uncertainty that follows the opinion.

*The challenge: EPA's approval of three dicamba products*

We first have to step back to 2016, when the EPA approved three dicamba-based products-- Monsanto's XTendiMax, DuPont's FeXapan, and BASF's Engenia--as conditional use pesticides for post-emergent applications in 34 states, including Ohio. Although dicamba has been around for years, the approval came after the companies reformulated dicamba to make it less volatile and in anticipation of the development of dicamba tolerant soybean and cotton seeds. The agency conducted a risk assessment and concluded that if used according to the label restrictions, the benefits of the dicamba products outweighed "any remaining minimal risks, if they exist at all." The EPA also provided that the registrations would automatically expire if there was a determination of an unacceptable level or frequency of off-site dicamba damage.

Before the conditional registrations were set to automatically expire in late 2018, the EPA approved requests by Bayer CropScience (previously Monsanto), Corteva (previously DuPont) and BASF to conditionally amend the registrations for an additional two years. The approval came despite widespread concerns about dicamba drift and damage during the 2017 growing season. To address those concerns, EPA chose not to conduct a new risk assessment and instead adopted additional label restrictions that had been proposed by Monsanto/Bayer to minimize off-field movement of dicamba. Many states added restrictions for dicamba use that exceeded the label restrictions, including banning any use of the product during certain periods.

Several organizations challenged the EPA's dicamba registration approvals. The National Family Farm Coalition, Center for Food Safety, Center for Biological Diversity, and Pesticide Action Network North America filed suit against the EPA, claiming that the agency violated both FIFRA and the Endangered Species Act in approving the product registrations. Monsanto requested and was granted permission to intervene in the case.

#### *The Ninth Circuit's review*

To approve the request to amend the dicamba registrations, FIFRA required the EPA to make two conclusions: first, that the applicant had submitted satisfactory data related to the proposed additional use of the pesticide and second, that the approval would not significantly increase the risk of unreasonable adverse effects on the environment. The task before the Ninth Circuit Court of Appeals was to review the EPA's 2018 decision and determine whether there was substantial evidence to support the EPA's conclusions and amend the registrations.

The conclusion that drew the most attention from the court was the EPA's determination that amending the dicamba registrations for two years would not cause unreasonable adverse effects on the environment. The court determined that the EPA erred in making this conclusion when it substantially understated several risks of dicamba registration, such as:

- Misjudging by as much as 25% the amount of acreage on which dicamba would be used in 2018.
- Concluding that complaints to state departments of agriculture could have either under-reported or over-reported the actual amount of dicamba damage, when the record clearly showed that complaints understated the amount of damage.
- Failing to quantify the amount of damage caused by dicamba, "or even to admit that there was any damage at all," despite having information that would enable the EPA to do so.

But that's not all. The court pointed out that the agency had also "entirely failed to acknowledge other risks, including those it was statutorily required to consider," such as:

- The risk of substantial non-compliance with label restrictions, which the court noted became "increasingly restrictive and, correspondingly, more difficult to follow" and to which even conscientious applicators could not consistently adhere.
- The risk of economic costs. The court stated that the EPA did not take into account the "virtually certain" economic costs that would result from the anti-competitive effect of continued dicamba registration, citing evidence in the record that growers were compelled to adopt the dicamba products just to avoid the possibility of damage should they use non-dicamba tolerant seed.
- The social costs of dicamba technology to farming communities. The court pointed out that a farmer in Arkansas had been shot and killed over dicamba damage, that dicamba had "pitted neighbor against

neighbor,” and that the EPA should have identified the severe strain on social relations in farming communities as a clear social cost of the continued registration of the products.

Given the EPA’s understatement of some risks and failure to recognize other risks, the Court of Appeals concluded that substantial evidence did not support the agency’s decision to grant the conditional registration of the dicamba products. The EPA “failed to perform a proper analysis of the risks and resulting costs of the uses,” determined the court. The court did not address the Endangered Species Act issue.

#### *What remedy?*

A critical point in the decision is the court’s determination of the appropriate remedy for the EPA’s unsupported approval of the dicamba products. The EPA and Monsanto had asked the court to utilize its ability to “remand without vacatur,” or to send the matter back to the agency for reconsideration. The remedy of “vacatur,” however, would vacate or void the product registrations. The court explained that determining whether vacatur is appropriate required the court to weigh several criteria, including:

- The seriousness of the agency’s errors against the disruptive consequences of an interim change that may itself be changed,
- The extent to which vacating or leaving the decision in place would risk environmental harm, and
- Whether the agency would likely be able to offer better reasoning on remand, or whether such fundamental flaws in the agency’s decision make it unlikely that the same rule would be adopted on remand.

The court’s weighing of these criteria led to its conclusion that vacating the registrations of the products was the appropriate remedy due to the “fundamental flaws in the EPA’s analysis.” Vacating the registrations was not an action taken lightly by the court, however. The judges acknowledged that the decision could have an adverse impact on growers who have already purchased dicamba products for the current growing season and that growers “have been placed in this situation through no fault of their own.” Clearly, the court places the blame for such consequences upon the EPA, reiterating the “absence of substantial evidence” for the agency’s decision to register the dicamba products.

#### *What now?*

The court raised the issue we’re all wondering about now: can growers still use the dicamba products they’ve purchased? Unfortunately, we don’t have an immediate answer to the question, because it depends largely upon how the EPA responds to the ruling. We do know that:

- FIFRA § 136a prohibits a person from *distributing or selling* any pesticide that is not registered.
- FIFRA § 136d allows the EPA to permit continued sale and use of existing stocks of a pesticide whose registration is suspended or canceled. The EPA utilized this authority in 2015 after the Ninth Circuit Court of Appeals vacated the EPA’s registration of sulfoxaflor after determining that the registration was not supported by substantial evidence. In that case, the EPA allowed continued use of the existing stocks of

sulfoxaflor held by end-users provided that the users followed label restrictions. Whether the agency would find similarly in regards to existing stocks of dicamba is somewhat unlikely given the court's opinion, but remains to be seen. The EPA's 2015 sulfoxaflor cancellation order is [here](#).

- While the U.S. EPA registers pesticides for use and sale in the U.S., the product must also be registered within a state in order to be sold and used within the state. The Ohio Department of Agriculture oversees pesticide registrations within Ohio, and also regulates the use of registered pesticides.
- If the EPA appeals the Ninth Circuit's decision to the U.S. Supreme Court, the agency would likely include a request for a "stay" that would delay enforcement of the court's Order.
- Bayer strongly disagrees with the decision but has paused its sale, distribution and use of XtendiMax while assessing its next step and awaiting EPA direction. The company states that it will "work quickly to minimize any impact on our customers this season." Bayer also notes that it is already working to obtain a new registration for XtendiMax for the 2021 season and beyond, and hopes to obtain the registration by this fall. See Bayer's information [here](#).
- BASF and Corteva have also stated that they are awaiting the EPA's reaction to the decision, and will "use all legal remedies available to challenge this Order."
- Syngenta has clarified that its Tavium Plus VaporGrip dicamba-based herbicide is not part of the ruling and that the company will continue selling that product.

For now, all eyes are on the U.S. EPA's reaction to the Ninth Circuit's decision, and we also need to hear from the Ohio Department of Agriculture. Given the current state of uncertainty, it would be wise for growers to wait and see before taking any actions with dicamba products. We'll keep you posted on any new legal developments. Read the court's decision in *National Family Farm Coalition et al v. U.S. EPA* [here](#).

**Author(s):**  
[Peggy Hall](#)

## Weather Potpourri: Hot and Tropical – Turning Cooler This Weekend



After a long period of cold spring temperatures, the last couple of weeks have generally been above average by a degree or two in southeast Ohio to more than four degrees above average in north-central and northeast Ohio. Precipitation has usually been light during this time as well (less than 2 inches) except in a few heavier pockets across southern and eastern Ohio (Figure 1). For more information on recent climate conditions, check out the Hydro-Climate Assessment from the [State Climate Office of Ohio](#).

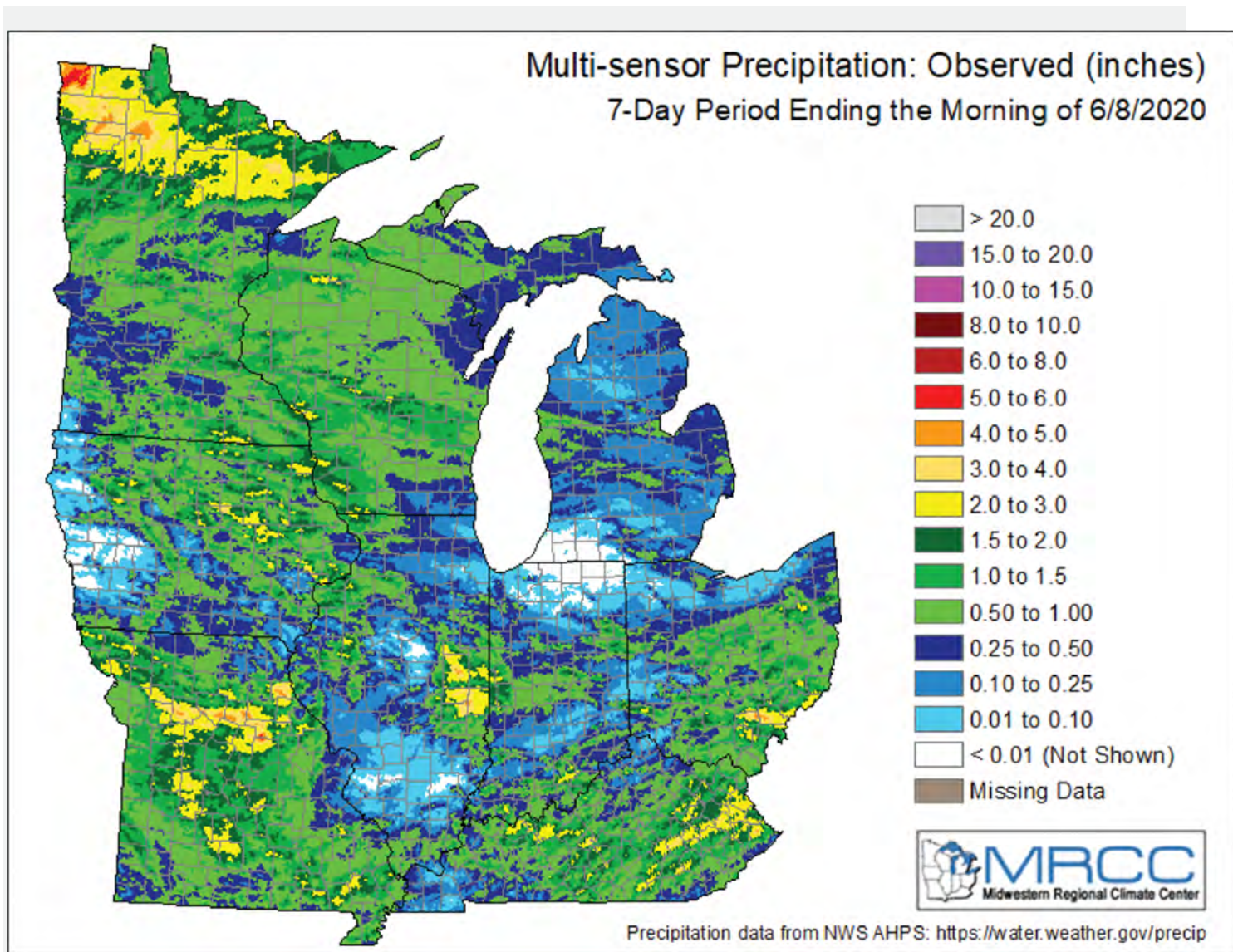


Figure 1: Multi-sensor observed 7-day precipitation ending on June 8, 2020. Figure from the Midwestern Regional Climate Center (<https://mrcc.illinois.edu>).

Tropical Storm Cristobal came ashore in Louisiana Sunday night, and the remnants of this storm are moving northward into the central U.S. This storm will turn northeastward toward the Great Lakes on Tuesday. This will lead to a hot Tuesday across the region, with much of Ohio hitting the upper-80s to perhaps mid-90s. Scattered thunderstorms are possible in the west Tuesday afternoon and evening, with a better chance of scattered storms Tuesday night and Wednesday across the state. Weather will turn fair for Thursday through Sunday, maybe a passing shower over the weekend, as temperatures dip below average.



Highs are expected to be in the 70s with lows in the upper-40s to low-50s. Overall, we are expecting light precipitation over the next seven days except in isolated locations where heavier storms occur on Wednesday (Figure 2).

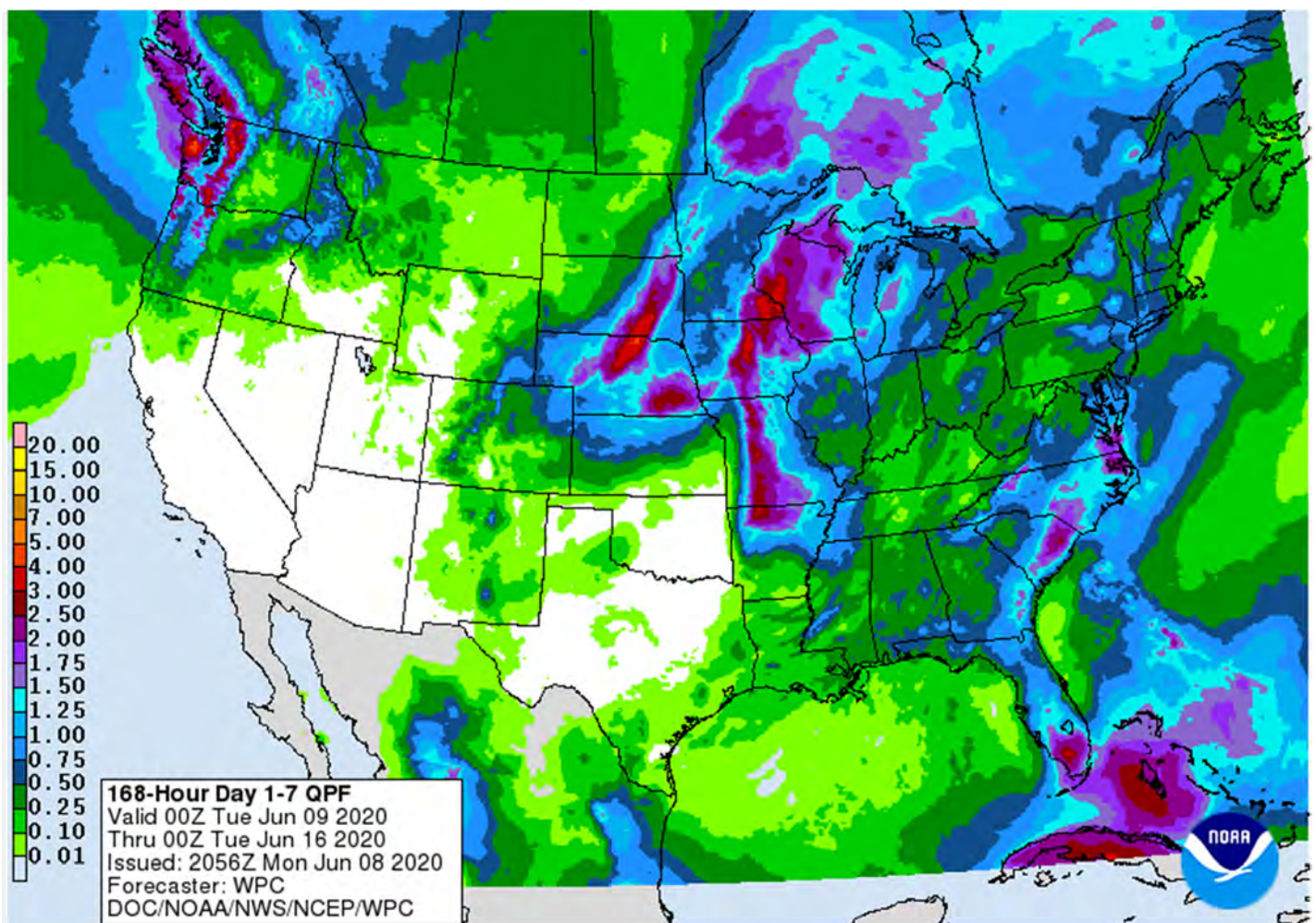


Figure 2: Forecast precipitation for the next 7 days. Valid from 8 pm Monday June 8, 2020 through 8 pm Monday June 16, 2020. Figure from the Weather Prediction Center <https://www.wpc.ncep.noaa.gov/>.

The latest [NOAA/NWS/Climate Prediction Center](https://www.noaa.gov/) outlook for the 6-10 day period (June 14-18) shows a strong likelihood for **below-average temperatures and below-average precipitation** (Figure 3). Normal highs during the period should be in the upper-70s to low-80s (north to south), normal lows in the upper-50s to low-60s, with about 1.05-1.20 inches of rainfall per week. The [16-Day Rainfall Outlook from NOAA/NWS/Ohio River Forecast Center](https://www.noaa.gov/) strongly supports below-average precipitation over the next couple of weeks.

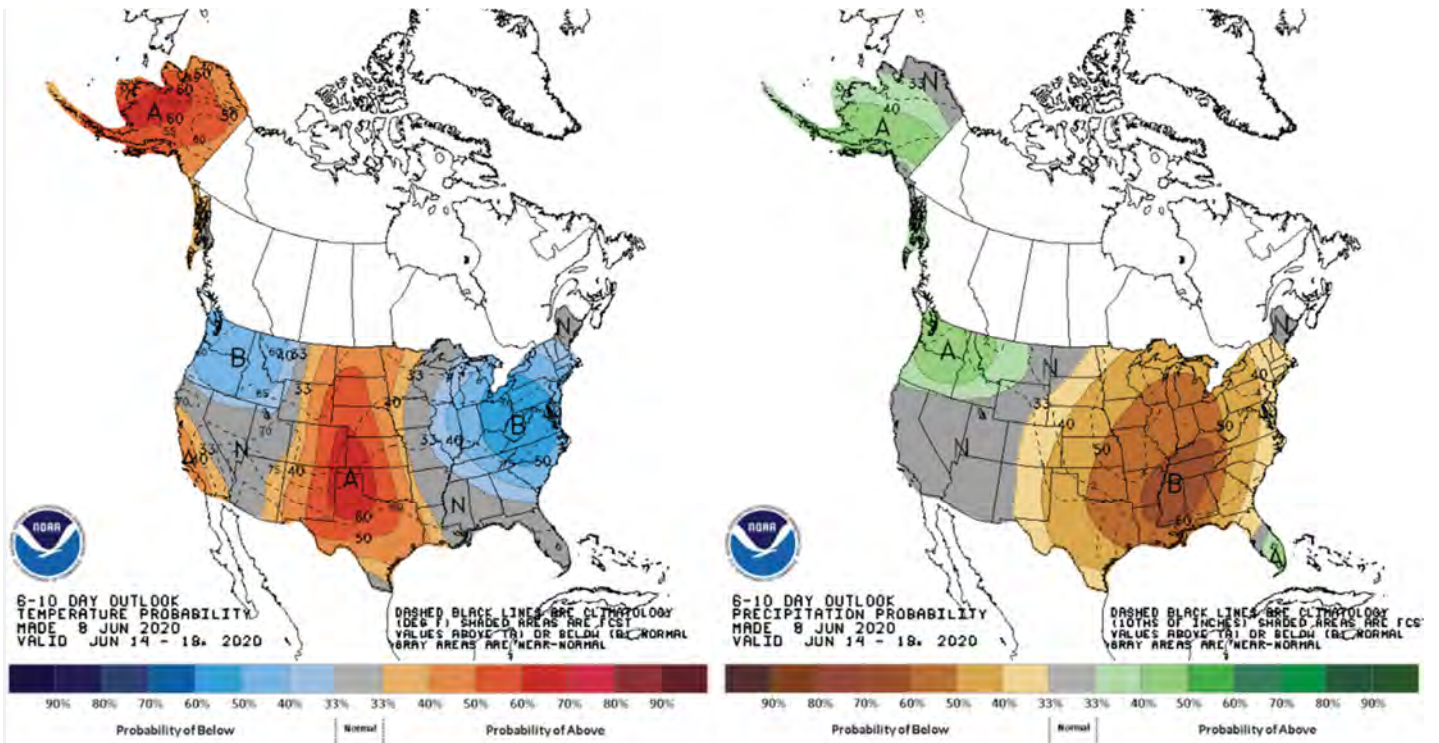


Figure 3: Climate Prediction Center 6-10 Day Outlook valid for June 14-18, 2020 for left) temperatures and right) precipitation. Colors represent the probability of below, normal, or above normal conditions.

**Author(s):**

[Aaron Wilson](#)

## Corn and Soybean Seedling Blights



Low stands or poor development of plants is, unfortunately, a common occurrence for fields that were planted in many regions of Ohio with heavy soil or are poorly drained soil. Symptoms include skips, missing plants, or dried up and brown seedlings. There may also be, wilting plants with and rotten, brown, decaying spots or lesions on the roots. Now is an excellent time to scout stands and check to be sure that the fields are not just crusted over – and that the seeds and seedlings that are there are still healthy.



### *Soybean Seedling Blight*

While there, dig up a few of the affected plants, if the roots are brown and soft, the seedling will die eventually or be very weak. So don't count them as part of your total stand. On soybeans check to see if there are nodules, the corky looking knobs on the roots that help legumes fix nitrogen. The cold, wet weather does not favor nodulation, so this may take a bit longer, for now, native *Rhizobium* spp. to get a foothold in the plants. Once the plants have nodules, they will recover and grow. On corn, the root (mesocotyl) between the young seedling and the seed, should be white. If it is dark brown or soft, this will also be a weakened plant. Some pathogens, if the environment is right, will continue to multiply and grow to kill the seedling.



### *Seedling Blight on Soybeans*

For management, improving soil drainage, and having at least two ingredients in the seed treatment mixture targeting water molds (*Pythium* and *Phytophthora*) are necessary for the challenging areas in Ohio that have a history of replanting. If you do have to replant, take a look at what the seed treatment package is and note what is in the mix. The one caution, though, is if the field was submerged for more than 24-48 hours (Ponding), this is flood injury, and there are no seed treatments for this.

**Author(s):**

[Anne Dorrance](#)

## Farm Office Live Webinar Slated for Thursday, June 11 at 9:00 a.m.



**The OSU Extension  
FARM OFFICE  
IS OPEN**

Thursday's session will include updates on the CARES Act, CFAP, and other emerging legal and economic issues.

Join us and share your questions, concerns, and topics of interest. Each office hour will include a short update and lead into a question and answer time on additional topics of interest.

OSU Extension is pleased to be offering the a **“Farm Office Live”** session on Thursday morning, June 11 from 9:00 to 10:30 a.m. Farmers, educators, and ag industry professionals are invited to log-on for the latest updates on the issues impact our farm economy.

The session will begin with the Farm Office Team answering questions asked over the two weeks. Topics to be highlighted include:

- Updates on the CARES Act Payroll Protection Program
- Prevent Plant Update
- Business & Industry CARES Act Program
- EIDL Update
- CFAP- update on beef classifications and commodity contract eligibility
- Dicamba Court Decision Update
- Other legal and economic issues

Plenty of time has been allotted for questions and answers from attendees. Each office session is limited to 500 people and if you miss the on-line office hours, the session recording can be accessed

at [farmoffice.osu.edu](http://farmoffice.osu.edu) the following day. Participants can pre-register or join in on Thursday morning at <https://go.osu.edu/farmofficelive>

**Author(s):**

[David Marrison](#)

## Court Ruling on Dicamba Products for Xtend Soybeans



*Article Updated on June 9, 2020 at 8:15 AM due to EPA statement Monday night.*

As most readers are probably aware, last week, the US 9th Circuit Court of Appeals issued a decision in a case concerning the use of dicamba on Xtend soybeans. This decision essentially voided the labels for XtendiMax, Engenia, and FeXapan that allows use on soybeans. Tavium was not included in this decision, because it was not approved for use when the case was initially filed. Last week's entry in the OSU Ag Law blog covers this decision well and can be found [here](#). EPA issued a statement Monday night, providing further guidance about what this decision means for the use of dicamba for the rest of this season, which can be found [here](#). The critical part of that is as follows:

### **“Details of the Order**

EPA's order addresses the sale, distribution, and use of existing stocks of the three affected dicamba products – XtendiMax with vapor grip technology, Engenia, and FeXapan.

1. Distribution or sale by any person is generally prohibited except for ensuring proper disposal or return to the registrant.

2. Growers and commercial applicators may use existing stocks that were in their possession on June 3, 2020, the effective date of the Court decision. Such use must be consistent with the product's previously-approved label, and may not continue after July 31, 2020."

The next most immediate question concerns the options for control of glyphosate-resistant weeds in Xtend soybeans, for those growers who have not already purchased their dicamba products, since the EPA info states that no additional sales can occur. Tavium, the premix of s-metolachlor and dicamba with VaporGrip, was not part of this decision and remained an option. Tavium can be applied through the V4 soybean stage, or through 45 days after planting, whichever occurs first. Aside from this option, without the availability of dicamba to use POST, the Xtend soybean becomes just an old school Roundup Ready soybean. Weeds of most significant concern here are marestail, waterhemp, Palmer amaranth, giant ragweed, and also common ragweed in NW Ohio. The primary POST option would be a mix of glyphosate with an ALS inhibitor (Classic, FirstRate, etc.) or PPO inhibitor (Flexstar and generics, Cobra/Phoenix, Ultra Blazer). However, these five weeds are mostly glyphosate and ALS resistant in Ohio, and PPO resistance is reasonably common in waterhemp and also occurs in some common ragweed and Palmer amaranth populations. None of these mixtures will be effective for marestail control. Effectiveness on the other weeds will be variable among and within fields across Ohio. Some giant ragweed populations are still partially sensitive to glyphosate, so plant size and glyphosate rate and the number of applications make a difference. We would expect a complete lack of waterhemp control in some fields. A third option would be to replant Xtend soybean fields with another type of soybean that provides for the POST options of 2,4-D choline and/or glufosinate – Enlist, LibertyLink, or LLGT27 – should seed still be available.

The Iowa State University ICM blog (June 5) covered the issue of waterhemp control in the absence of dicamba:

*“Of the alternatives available, we believe a Group 14 herbicide (acifluorfen, fomesafen, lactofen) has a better chance of controlling waterhemp than glyphosate due to the greater prevalence of glyphosate-resistant waterhemp. Group 14 herbicides should be applied as soon as waterhemp is found in a field, and a Group 15 herbicide (acetochlor, dimethenamid, pyroxasulfone, S-metolachlor) should be included to provide residual control after the POST application. Glyphosate or other appropriate tank-mix partners should be included in the mix to broaden the spectrum of weeds controlled.*

*Preemergence herbicides appear to be providing effective control in most soybean fields at this time, but the timeliness of application of the Group 14 herbicide will be critical. Spraying waterhemp between 0.5 and 1.5 inches in height is ideal. Follow all recommendations on the Group 14 label to maximize effectiveness, including carrier volume, nozzle type, spray pressure, spray additives, and sprayer speed.”*

**Author(s):**

[Mark Loux](#)

## Lower First Cutting Hay Yields Being Reported



We are hearing reports from forage producers around Ohio that first cutting yields are lower than usual. Forages took a hit from the late freezes and overall cold weather this spring, which arrested or even set back their development. Another factor reducing yields is that many producers cut earlier than usual because of the recent stretch of good hay-making weather.

I observed noticeable differences in first cut yield among forage stands that differed in soil fertility status, cutting management history, and age of the stand. Yields were higher where stands were younger, pH and fertility were at recommended levels, and proper cutting schedules had been followed in prior years. The history of appropriate management and younger stand life improved the ability of the plants to withstand and recover from the weather stress this spring.

The good news is that forage quality is expected to be higher than usual for first cutting here in Ohio. This should improve animal performance on those forages compared with our regular, more mature first cutting forage in Ohio.

If you are concerned about forage supplies this year, Chris Penrose has some excellent suggestions to consider in an article that previously appeared in the OSU Beef Newsletter and is repeated here. Below are additional resources we shared last year that can be applied this year, where forage supplies are expected to be short. More details about the various options for boosting forage supplies with annual forages are discussed.



- Emergency forages to plant for mechanical harvest: <https://forages.osu.edu/news/emergency-forages-plant-yet-year-mechanical-harvest>
- Emergency forages to plant for grazing: <https://forages.osu.edu/news/emergency-forages-plant-yet-year-grazing>

Short season forages for dairy farms: [https://forages.osu.edu/sites/forages/files/imce/DIBS31-16\\_Short\\_Season\\_Forages\\_to\\_Fill\\_Supply\\_Gaps\\_for\\_Dairy\\_Farms.pdf](https://forages.osu.edu/sites/forages/files/imce/DIBS31-16_Short_Season_Forages_to_Fill_Supply_Gaps_for_Dairy_Farms.pdf)

**Author(s):**  
[Mark Sulc](#)

## Time to Start Scouting for Potato Leafhoppers in Alfalfa



We are receiving reports of near- or at-threshold levels of potato leafhopper in alfalfa. As second cut alfalfa grows, farmers should scout for resurging numbers in their fields. Younger alfalfa is more susceptible to damage at lower leafhopper numbers. If alfalfa is more than seven days from a cut and plants are under normal stress, a good rule of thumb for a treatment threshold is: when the number of leafhoppers in a 10-sweep set is equal to or greater than the height of the alfalfa. For example, if the alfalfa is 8 inches tall, and the average number of leafhoppers per sample is eight or higher, treatment is warranted. If the average is seven or lower, the grower should come back within a few days to see if the population is higher or lower. Vigorous alfalfa can tolerate higher numbers, and stressed alfalfa can tolerate fewer.

For a video on scouting techniques visit <https://forages.osu.edu/video/scouting-potato-leafhopper-alfalfa?width=657px&height=460px&inline=true#colorbox-inline-51399545>

For a video with detail on damage, ID, and control options visit <https://forages.osu.edu/video/potato-leafhopper-identification-and-damage-alfalfa?width=657px&height=460px&inline=true#colorbox-inline-397628030>

Our extension factsheet on potato leafhopper in alfalfa is at <https://ohioline.osu.edu/factsheet/ENT-33>

An excellent resource for other forage-related questions is the Forage Page at <https://forages.osu.edu/home>

**Author(s):**

[Kelley Tilmon](#), [Mark Sulc](#), [Andy Michel](#)

## Hay yields off? Don't panic, there's time to take action!



I hope you do not have the hay season I am having. While the quality of my hay is good, my yields are incredibly disappointing. With over half of my fields made, I am around 50% of the usual crop. The two late freezes killed back growing grass last month, and honestly, I am mowing hay earlier than most years. I am also doing it much faster with my youngest son not working this summer at the Wilmington College farm due to the virus and helping on the farm. Another thing I have noticed over the past few years is that some hay fields have less fescue and orchard grass and more poor quality forage like cheatgrass reducing quality and yields.

If it looks like hay is going to be short this year, here are a few thoughts for the short term and the long term.

- First, is there a hay you can make from some property not too far from where you live? Sometimes owners may let fields be made at a reasonable price if they are faced with having to pay someone to mow it for them just to maintain open space.
- Will your fields benefit from fertilizer and lime? Applications made soon can respond this season, providing more hay.
- Do you have some unproductive cattle that can be marketed?
- Have you ever considered planting some warm-season annuals like millet, sorghum or sudangrass? They can provide a lot of tonnage until frost.

In the next month or two, you can plan for ways to extend the grazing season by stockpiling cool-season grass. We know that adding nitrogen (I recommend 50# N/Acre) will increase yields.

Brassicas, such as turnips planted in July, can provide 10,000 pounds of dry matter in 90 days. Cereal rye and oats or a combination of small grains and brassicas are options as well.

If you have access to corn stalks this fall, that is a great option. If you have cornfields, I have seen success flying on small grains and/or brassicas in the late summer, providing a great mixture of corn stalks and annuals to graze in the fall.

Finally, shelled corn can be fed this winter to stretch hay supplies if needed.

In the long term, consider improving fertility, then re-seeding fields with improved varieties of grasses and legumes if you have unimproved hay fields. It pays to use top-quality seed, especially when you factor in the total cost to re-seed then how many years you should have the crop. You should have better yield and quality. You can seed in late summer (I recommend August) or in the spring. Late summer seedings typically have fewer weed problems, but if you have a lot of deer in your area, their grazing pressure can put severe stress on the crop during the late fall and winter.

The good news is that the remaining hayfields on my farm are in much better shape, and with some fertilizer in the next week or two, we should have a good second cutting and eventually grow enough feed for the cattle we keep this winter. We are still in early June, and if we figure out our best options now and take action, we will have less of a chance of a shortage of feed this winter.

**Author(s):**  
[Chris Penrose](#)

## Other Articles

### **US EPA ALLOWS USE OF DICAMBA PRODUCTS BY JULY 31, 2020**

*By: Peggy Kirk Hall, Tuesday, June 09th, 2020*

When we explained in our [last blog post](#) the recent Court of Appeals decision that vacated the registration of three dicamba-based products, we mentioned that one possibility for answering the “what happens now” question was for the EPA to issue a cancellation order that would allow end users to use existing stocks of the products. That’s exactly what happened yesterday, when the US EPA made a final order that cancels the registrations of XtendiMax, Engenia, and FeXapan but allows for movement and use of the products. Here’s a summary of the agency’s order.

#### *Authority to issue the cancellation order*

After reviewing the background of the dicamba product registrations vacated by the Ninth Circuit Court of Appeals last week for lack of “substantial evidence” supporting the registrations, the EPA stated that it was relying upon the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to establish provisions for the disposition of existing stocks of registrations that are found to be invalid. “The Administrator may permit the continued sale and use of existing stocks of a pesticide whose registration is suspended or canceled under [sections 3, 4 or 6 of FIFRA] to such extent, under such conditions, and for such uses as the Administrator determines that such sale or use is not inconsistent with the purposes of [FIFRA]” stated the agency.

The EPA noted that FIFRA does not prohibit the *use* of unregistered pesticides, but only prohibits the *sale and distribution* of unregistered pesticides. The agency noted that without its action, end users holding stocks of the products aren’t prevented from using the stocks without following the now voided label directions and restrictions. And the agency pointed to a similar action it took after a 2015 court order that vacated the registration of sulfoxaflor and a 2010 court decision that vacated the registration of spirotetramat. In both cases, the EPA utilized a cancellation order to establish terms and conditions for the disposition of existing stocks of the products.

#### *Existing Stocks Determination*

Back in 1991, the EPA established an “existing stocks policy” to help the agency assess how to treat existing stocks of cancelled pesticides, both when no significant risk concerns have been identified and when there are significant risk concerns for a cancelled product. The agency noted that it considered the six factors outlined in the policy for considering significant risk concerns associated with a cancelled pesticide and reached the conclusion that “distribution and use in certain narrow circumstances is supported.” The

six factors the agency considered in determining what to do with the existing stocks of dicamba products are:

1. Quantities of existing stocks at each level of the channels of trade

The agency noted that due to the current timing of the growing season, significant existing stocks are present in the possession of end users and throughout the channels of trade. Stating that it couldn't determine the exact quantities of existing stocks at each level of the channels of trade, the EPA estimates that "approximately 4 million gallons could be in the channels of trade."

2. Risks resulting from the use of the existing stocks

Again concluding that because the product registrations were vacated and the labels therefore voided, end users were not legally bound to follow label restrictions if using the dicamba products. The agency concluded that such non-label uses would have greater potential for adverse effects than if the agency issued an order allowing and regulating the use of the existing stocks. Such an order is imperative, said the agency, to ensure that any use of the products would be consistent with previously approved labeling and could be enforced in order to prevent unreasonable adverse effects on the environment. Surprisingly, the EPA gave little attention to the volatility concerns raised by the Ninth Circuit in its decision last week, and evidence the court pointed to in that case that suggested that even applications by those who carefully followed the label restrictions were subject to drift and damage.

3. The benefits resulting from the use of existing stocks

Capitalizing on the unfortunate timing of the Ninth Circuit's vacation of the pesticide in regards to immediate needs for the current growing season, the agency concluded that "the benefits resulting from the use of the products are considerable and well established, particularly for this growing season." The EPA reiterated many of the numerous communications it had received stating how essential the over-the-top products are, especially with the growing season underway. It also concluded that allowing non-over-the-top uses would result in substantially greater benefits to users and society than would disposal of the products.

4. The financial expenditures users and others have already spent on existing stocks

Echoing the concerns of many farmers and again pointing to the current growing season, the agency concluded that "the costs to farmers are not limited to their existing stocks of these dicamba products, but include other sunk costs made in expectation of the availability of these products (seed purchase, tilling, planting, etc.) as well as the lost opportunity to switch to a different crop or to another herbicide or weed management method."

5. The risks and costs of disposal or alternative disposition of the stocks

The EPA concluded that disposal of the existing stocks of dicamba products would incur substantial costs for all and for stock already in the hands of end users, “may be neither feasible nor advisable.” Additionally, the agency pointed to disposal or return of opened containers which would have high risks of spillage and increased expenses for proper disposal.

#### 6. The practicality of implementing restrictions on distribution, sale, or use of the existing stocks

Another option available to the agency under FIFRA would be to issue individual stop sale, use and removal orders to all end users holding dicamba products, but the EPA concluded that such an action would be unwarranted under the present facts because tracking the existing stocks would be burdensome, inaccurate and impractical and that “hard-pressed farmers who have made large investments in their existing stocks may be uncooperative with a cancellation order that requires disposal.”

##### *Final Order*

After weighing the six factors above, the EPA concluded that the six factors weigh heavily in support of allowing end users to use existing stocks of the dicamba products in their possession. However, the agency imposed a **July 31, 2020** cut-off date for use of existing stocks in order to “further reduce the potential for adverse effects.” Here are the final orders the agency made for distributed, sale and use of the products:

- a. *Distribution or sale by the registrant.* Distribution or sale by the registrant of all existing stocks of the products listed below is prohibited effective as of the time of the order **on June 3**, except for distribution for the purposes of proper disposal.
- b. *Distribution or sale by persons other than the registrant.* Distribution or sale of existing stocks of the products listed below that are already in the possession of persons other than the registrant is permitted only for the purposes of proper disposal or to facilitate return to the registrant or a registered establishment under contract with the registrant, unless otherwise allowed below.
- c. *Distribution or sale by commercial applicators.* For the purpose of facilitating use **no later than July 31, 2020**, distribution or sale of existing stocks of products listed below that are in the possession of commercial applicators is permitted.
- d. *Use.* Use of existing stocks of products inconsistent in any respect with the previously-approved labeling accompanying the product is prohibited. **All use is prohibited after July 31, 2020.**

##### *Now what?*

While the manufacturers of XtendiMax, Engenia, and FeXapan are prohibited from selling and distributing their products effective as of June 3, 2020, the EPA’s cancellation order allows others to return, dispose of, or use the products according to the previous label restrictions **and no later than July 31, 2020**. But a few other factors come into play:

- Some states have already taken actions to restrict the use of the dicamba products within their states, which is within a state’s authority. Ohio has not done so, and instead has stated that it has been awaiting US EPA guidance on the legal status of the products and will communicate options for farmers afterwards. This means that users in Ohio should keep a close eye on the Ohio Department of Agriculture to see if it will go along with the US EPA’s guidance or direct otherwise.

- A cancellation order issued by the EPA is a final agency action that is subject to appeal, so we might see an immediate of the cancellation order and a request to stay the order pending appeal. Such an appeal could challenge whether the EPA has the authority to regulate existing stocks of the products and whether the agency's analysis sufficiently addressed the risks of adverse impacts from continued use.

As seems often to be the case with dicamba, there's a mixed sense of drama and dread with what lies ahead. We'll be sure to keep you posted on the next legal news for dicamba.

Read the US EPA's cancellation order for XtendiMax, Engenia, and FeXapan [here](#).

## U.S. Farm Liquidity Measures Projected to Decline in 2020

June 9<sup>2020</sup>

by: **Chris Zoller, Extension Educator, ANR**

[Click here for Article \(access the figures\)](#)

Liquidity is a measure of the ability of a farm to use cash or ability to convert assets to cash quickly to meet short-term (less than 12 months) liabilities when due. Data from the United States Department of Agriculture Economic Research Service (USDA-ERS) forecast a continued decline in 2020 of liquidity on U.S. farms. This article discusses two metrics, the current ratio and working capital, to evaluate liquidity.

### Working Capital

USDA-ERS projects farm working capital to decline from the 2012 level of more than \$160 billion to \$52 billion in 2020 (see Chart 1). Working capital is the value of cash and short-term assets that can easily be converted to cash minus amounts due to creditors within 12 months. These are considered "short-term" assets and liabilities. Having adequate working capital is important for a farm to meet obligations as they come due, take advantage of pre-pay discounts, and manage through price declines or unexpected expenses.

Like many things in agriculture, knowing how much working capital a farm needs varies based on several factors. These include farm size, farm type, and market volatility. The working capital to gross revenue ratio is a measurement of the working capital divided by the gross sales of the business. This ratio measures the amount of working capital compared to the size of the business. Lenders prefer a working capital to gross revenues ratio of 40 percent or better. This means that if the business has \$1 million in gross sales, working capital would need to be \$400,000 or 40 percent of \$1M. When the working capital ratio falls below .20, a farm may have difficulty meeting cash obligations in a timely manner.

Chart 1. (Source: USDA-ERS, February 5, 2020) (see PDF version to access charts)

### **Current Ratio**

The current ratio is calculated as total current assets divided by total current debt (or liabilities). Current is defined as less than 12 months. Current assets include: cash, accounts receivable, fertilizer and supplies, investment in growing crops, crops held for storage and feed, and market livestock. Current liabilities include: accounts payable/accrued expenses, income and social security taxes payable, current portion of deferred taxes, current loans due within one year, current portion of term debt, and accrued interest.

USDA-ERS expects the value of current assets to decline 3.5% and current liabilities to increase 2.3% in 2020. The current ratio of U.S. agriculture was 2.87 in 2012 and is projected by USDA-ERS to fall to 1.42 in 2020 (see Chart 2). If a farm has \$100,000 in current assets and \$70,000 in current liabilities, the current ratio equals 1.42. A current ratio of 2:1 or greater is desirable and indicates a farm has \$2 in short-term assets for every \$1 in short-term debt.

Chart 2. (Source: USDA-ERS, February 5, 2020) (see PDF version to access charts)

### **Management Tips**

Farm financial management is critical in today's volatile environment. Consider the following management tips:

- Complete an annual balance sheet. Using your numbers, calculate trends.
- Compare your numbers with recommended benchmark values.
- Discuss your numbers with your lender.
- Contact your local Extension educator or enroll in the Ohio State University Extension Farm Business Analysis and Benchmarking Program (<https://farmprofitability.osu.edu/>).

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**Prepared by Jeff Stachler**

**Ohio State University Agriculture and Natural Resources Extension Educator, Auglaize County**

**[stachler.1@osu.edu](mailto:stachler.1@osu.edu) and 701-541-0043**