SEED SCREENINGS

HEARING

BEFORE THE

SUBCOMMITTEE ON LIVESTOCK AND FEED GRAINS

OF THE

COMMITTEE ON AGRICULTURE HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH CONGRESS

SECOND SESSION

ON

H.R. 5546

MAY 10, 1962

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THURSDAY, MAY 10, 1962

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON LIVESTOCK AND FEED GRAINS,
OF THE COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to call, at 10:30 a.m., in room 1310, New House Office Building, Hon. W. R. Poage (chairman of the subcommittee), presiding.

Present: Representatives Poage (presiding), Jones of Missouri, Johnson of Wisconsin, Jennings, Breeding, Purcell, McIntire, Quie, Short, Mrs. May, and Harvey.

Also present: Christine S. Gallagher, clerk; Hyde H. Murray, assistant clerk; John J. Heimburger, counsel; and Francis LeMay, consultant.

Mr. POAGE. The subcommittee will come to order.

We are met this morning to consider the question of the importation of seed screenings, which is covered by H.R. 5546.

(H.R. 5546 and reports follow:)

[H.R. 5546, 87th Cong., 2d sess.]

A BILL To amend the Federal Seed Act, as amended, with respect to screening of seed

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(a)(22) of the Federal Seed Act, as amended (7 U.S.C. 1561(a)(22)), is hereby amended by deleting the word "live."

SEC. 2. Section 301(a)(2) of such Act (7 U.S.C. 1581(a)(2)) is hereby amended by deleting the following: "(except that this shall not apply to screenings of wheat, oats, rye, barley, buckwheat, field corn, sorghum, broomcorn, flax, millet, proso, soybeans, cowpeas, field peas, or field beans, which are not imported for seeding purposes and are declared for cleaning, processing, or manufacturing purposes, and not for seeding purposes)".

SEC. 3. Section 306(a)(2) of such Act (7 U.S.C. 1586(a)(2)) is hereby amended to read as follows:

"(2) any screenings imported contrary to this Act;".

[H. Rept. 1632, 87th Cong., 2d sess.]

IMPORTATION OF SEED SCREENINGS

The Committee on Agriculture, to whom was referred the bill (H.R. 5546) to amend the Federal Seed Act, as amended, with respect to screenings of seed, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of this bill is to amend the Federal Seed Act so as to prohibit the importation of the screenings of any types of seeds. The act now prohibits the importation of screenings of all agricultural and vegetable seeds except those noted in section 2 of this bill. The bill would remove the exemption and prohibit the importation of seed screenings of any type.

NEED FOR THE LEGISLATION

One of the major objectives of the Federal Seed Act is to prevent the dissemination of weed seeds from State to State in the United States and the entry into this country of weed seeds from other countries. In spite of the strict measures taken under the act and under even more restrictive laws of most States to prevent the dissemination of weed seeds, tests conducted by the Department of Agriculture on seed screenings which have come into the United States under the existing exemptions in the law (primarily from Canada) have found that many lots of such screenings contain up to 35 percent or more of weed seeds, many of which are considered to be extremely harmful to the agriculture of the United States. Screenings is the residue which is left when seeds are cleaned or processed and, by definition, contains less than 25 percent agricultural or vegetable seed.

A substantial part of the screenings imported into the country apparently finds its way into feeds of various kinds, although many States also have laws restricting the quantity of weed seeds which may be present in feeds. Some of the seeds remain live after being consumed by the animal and in this way the weeds may readily become disseminated through feed.

COST

The Department of Agriculture estimates that enactment of this legislation would result in additional administrative costs of approximately $40,000 per year.

DEPARTMENTAL POSITIONS

Following is a letter from the Department of Agriculture recommending that the bill be enacted. Also set out is a letter from the Department of State opposing the bill on the ground that it would interfere with Canadian exports.

U.S. DEPARTMENT OF AGRICULTURE,
Washington, D.C., October 11, 1961.

Hon. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request of April 5, 1961, for a report on H.R. 5546, a bill to amend the Federal Seed Act, as amended, with respect to screenings of seed.

This Department recommends that the bill be passed.

The bill provides that 15 kinds of screenings now permitted entry into the United States under the Federal Seed Act would be prohibited entry after passage of the bill. The bill also would amend the definition of the term "screenings" by deleting the word "live" so that in determining whether a shipment is screenings, it would not be necessary to make a germination test to determine the percentage of live seed. "Screenings" would be offal from cleaning or processing of seed, consisting of less than 25 percent agricultural or vegetable seeds.

The Federal Seed Act provides for rigid controls with respect to the importation of agricultural and vegetable seeds containing certain harmful noxious-weed seeds and prohibits the importation of seeds containing in excess of 2 percent of any weed seeds. The State seed laws contain even more restrictive controls with respect to dissemination of weed seeds in seed. The State restrictions are recognized in the enforcement of the interstate provisions of the Federal Seed Act. The feed laws in some States have restrictions on the number of viable noxious-weed seeds which may occur in feeds offered for sale or transported within the States. Despite all of the controls being exercised with respect to the dissemination of weed seeds in seed in the United States, the Federal Seed Act now permits the importation of screenings of seed containing weed seeds, without any limitation on the weed seed content.

The importation of screenings may be the source of many infestations of noxious-weed seeds in the United States, either because of dissemination of the weed seeds in the transportation of the screenings or through the use of such weed seed infested screenings in various kinds of feeds. Limited inspections of samples taken from such importations indicate that many lots of such screenings contain up to 25 percent or more of weed seeds, many of which are considered to be extremely harmful to agriculture in the United States.

A study of the extent of such importations indicates that between 1950 and 1960 there were imported about 235 million pounds to 652 million pounds of grain screenings annually. The declared value of these screenings was about

$2 million to $6½ million annually. In addition, the importation of flaxseed screenings between 1954 and 1960 was 35 million to 92 million pounds annually with a declared value ranging from about $450,000 to $1,600,000.

Screenings are imported largely from Canada under Tariff Paragraph No. 731 (19 U.S.C. 1001, par. 731) dutiable at 2½ percent ad valorem under the trade agreements program of the United States. This duty is bound to Canada under the General Agreement on Tariffs and Trade. However, it is believed that the overriding consideration here is the protection of U.S. agriculture from harmful weed seeds.

It is estimated that enactment of this proposed legislation would result in a need for additional funds in the amount of $40,000.

There is attached a copy of a letter, dated July 6, 1961, from the Department of State to the Bureau of the Budget setting out that Department's recommendations concerning this bill.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES MURPHY, *Acting Secretary.*

DEPARTMENT OF STATE,
Washington, July 6, 1961.

Hon. DAVID E. BELL,
Director, Bureau of the Budget.

DEAR MR. BELL: The Bureau of the Budget in a legislative referral memorandum dated June 9, requested our views on a report prepared by the Department of Agriculture which recommended the enactment of S. 1314, a bill to amend the Federal Seed Act, as amended, with respect to screenings of seed.

The effect of this bill would be to prohibit imports of screenings of wheat, oats, rye, barley, buckwheat, field corn, sorghum, broomcorn, flax, millet, proso, soybeans, cowpeas, field peas, or field beans, which are not imported for seeding purposes and are declared for cleaning, processing, or manufacturing purposes.

It is our understanding that both domestic and imported screenings are used as chicken feed and that any weed seeds contained in them ordinarily remain alive after being eaten by chickens. It appears that a prohibition of imports would result in an increased use of domestic screenings, which also contain weed seeds. The proposed amendment thus would have no significant effect in preventing the spread of weeds in the United States.

The proposed prohibition, however, would substantially reduce our trade with Canada. The value in 1960 of our imports from Canada of the products in question was over $2,600,000. American agriculture has a vital stake in the maintenance of good trade relations with Canada which should not be jeopardized unnecessarily. Canada is one of our best foreign markets for agricultural exports. In 1959–60 our agricultural exports to Canada were valued at $410 million and exceeded our imports of Canadian agricultural products by more than $225 million. Moreover, enactment of S. 1314 would be in contravention of an international commitment made in the GATT which reduced the duty to 2½ percent ad valorem. It is also recalled that the expansion of international trade increases the economic strength of the United States and its allies and that it is contrary to our policy to impose import restrictions unless it has been clearly established that it is necessary to do so to prevent injury to a domestic industry.

For the foregoing reasons, the Department of State disagrees with the Department of Agriculture's report and is opposed to the enactment of the proposed legislation.

Sincerely yours,

BROOKS HAYS, *Assistant Secretary.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

FEDERAL SEED ACT

* * * * * * *

SEC. 101. (a) When used in this Act—* * *

(22) The term "screenings" shall include chaff, sterile forets, immature seed, weed seed, inert matter, and any other materials removed in any way from any seeds in any kind of cleaning or processing and which contain less than 25 per centum of [live] agricultural or vegetable seeds.

* * * * * * *

SEC. 301. (a) The importation into the United States is prohibited of—

(1) any seed containing 10 per centum or more of any agricultural or vegetable seeds if any such seed is adulterated or unfit for seeding purposes, or is required to be stained and is not so stained, under the terms of this title, or the labeling of which is false or misleading in any respect;

(2) screenings of any seeds subject to title III of this Act [(except that this shall not apply to screenings of wheat, oats, rye, barley, buckwheat, field corn, sorghum, broomcorn, flax, millet, proso, soybeans, cowpeas, field peas, or field beans, which are not imported for seeding purposes and are declaring for cleaning, processing, or manufacturing purposes, and not for seeding purposes)];

* * * * * * *

SEC. 306. It shall be unlawful for any person—

(a) To sell or offer for sale—

(1) any seed for seeding purposes if imported under this title for other than seeding purposes;

[(2) any screenings of any seeds for seeding purposes if imported under this title for other than seeding purposes;]

(2) any screenings imported contrary to this Act;

Mr. POAGE. We will first hear from Mr. Hendrickson, of the National Federation of Grain Cooperatives. After that we will proceed with the Department witnesses.

STATEMENT OF ROY F. HENDRICKSON, EXECUTIVE SECRETARY, NATIONAL FEDERATION OF GRAIN COOPERATIVES, WASHINGTON, D.C.

Mr. HENDRICKSON. Mr. Chairman and members of the committee, I am Roy Hendrickson, executive secretary of the National Federation of Grain Cooperatives, Washington, D.C. I appreciate very much the opportunity to be heard immediately and I will be extremely brief.

Our Federation supports the bill which was, as I understand, unanimously supported by the full committee, and which was on the consent calendar as of last Monday, but then was passed over.

The problem of the importation of screenings with respect to the infestation of weed seeds in this country is very well understood and will be developed here, I am sure, by Mr. Davidson of the Department of Agriculture, who has a long record as administrator of the Federal Seed Act and great familiarity with it.

I have been interested, personally, in this matter for some years. And before the Weed Society of America, at its meeting at Denver on February 24, 1960, I presented a paper that went into considerable detail with respect to the meaning of this, and in order to save the time of the committee I would like to ask, Mr. Chairman, if this address at this time could be placed into the record.

Mr. POAGE. Without objection, it will be placed in the record.

(The statement follows:)

The Menace of Weed Seed Imports

(Remarks before the Weed Society of America, at Denver, Colo., February 24, 1960, by Roy F. Hendrickson, executive secretary, National Federation of Grain Cooperatives, Washington, D.C.)

Farmers spend an immense amount of time and money to combat weeds. Detailed specific cost estimates are not available. In the U.S. Yearbook of Agriculture for 1948, cost for Iowa alone was estimated at $50 million. Estimates of costs running nationally into the billions of dollars each year have been made recently.

Many species are classed as noxious. L. W. Kephart some years ago said: "With the possible exception of the Canadian thistle, quackgrass is the most notorious of all weeds and probably causes a greater monetary loss than any other single species of plant." Many other weeds are candidates for the role of top villain.

Taking into account the time and cost weeds require, their serious effect on crop yields and quality, and their all-round nuisance defects for farmers, it is remarkable how tolerant we are as a nation of their introduction from beyond our borders.

It is truly fantastic to see the ease with which they can be distributed to infest our farms and ranches. This apathy is not justified.

There is need for more uniformity in laws, regulations, and enforcement zeal at both State and Federal levels. Especially is there needed major change in the provisions of the Federal Seed Act of 1939 to cut down or eliminate entirely the flow of noxious weed seeds from other lands to reduce the great economic waste these weed seed imports represent.

The fight on weeds native to the United States is hard and costly enough without attracting these noxious invaders from beyond our borders.

The worst loophole at the present time is represented by imports of grain and flaxseed screenings. These contain vast quantities of noxious weed seeds, and are often rich in two of the worst—Canadian thistle and quackgrass.

Tests on imported screenings by inspectors at ports of entry show that weed seed content ranges from about 8 percent to 60 percent.

Over the years the average is 35 percent weed seed content. Most of this is viable seed. The average screenings imported include 4 or more—often 8 to 20—varieties of weed seed.

These find their way to farms and feedlots of many States, spreading the noxious effects over fields and pastures.

This is entirely unnecessary and can be stopped by changes in laws and regulations if farmers, their organizations, State and Federal officials with responsibilities in this area, will mobilize their knowledge and force for one swift assault on the problem.

Currently there is no economic need for the import of these screenings. There seldom, if ever, has been. Indeed, their importation at any time represents exactly the reverse of satisfying an economic need. We have an abundant supply of cereal, feed grains, and oilseeds for milling, livestock feedings, and crushing for oil. No economic need for the screenings is evident. There are good and substantial reasons for counting these imports as uneconomic and undesirable.

The prices of feed grains and oilseeds are under steady, relentless pressure domestically and in world markets. The farmer is caught in the price-cost squeeze, and obviously he can use help to reduce his cost of production which includes a substantial annual outlay for combatting weeds.

The provisions of the Federal Seed Act, enacted in 1939, prohibit the importation of seed containing noxious weed seeds in excess of specified rates of occurrence.

Specifically, section 301 of the Federal Seed Act prohibits the importation into the United States of "screenings of any seed subject to title III of this act"—but then note this exception wider than a barn door—"(except that this shall not apply to screenings of wheat, oats, rye, barley, buckwheat, field corn, sorghum, broomcorn, flax, millet, proso, soybeans, cowpeas, field peas, or field beans, which are not imported for seeding purposes and are declared for cleaning, processing, or manufacturing purposes, and not for seeding purposes); * * *."

Thus, the exceptions are more substantial than the prohibitions. Indeed, so far as weeds are concerned, the law is a welcome mat. It should be revised, brought up to date.

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Screenings are defined under the act to include "chaff, sterile florets, immature seed, weed seed, inert matter, and any other materials removed in any way from any seeds in any kind of cleaning or processing and which contain less than 25 percent of live agricultural or vegetable seed."

It is evident that this is not a prohibition on weed seed imports but only a provision intended to minimize the use of screenings as an adulterant in seed. Only to that small extent was it addressed to weed seed. Of course, weed seed can be spread fast and over vast areas in feeds in which screenings are used. Usually screenings are used as a small percentage ingredient in feeds, and thus the imported weed seeds influence a vast tonnage distributed to farms and feedlots.

All of the major types of screenings are exempt. The biggest of all in the case of Canada are wheat screenings, and this type well pinpoints the problem.

That great, fertile area, the prairie Provinces of Canada, produces large annual crops of wheat, barley, oats, rye, and flaxseed. Most is destined for export in competition with our grains and oilseeds.

In its energetic effort to expand markets for its wheat, Canada has adopted tighter policies to overcome one of its serious harvesttime quality problems, the presence in the grain of substantial weed seed and other dockage and foreign material.

At local and terminal elevators a standardized program of cleaning is carried on under Government leadership in the reception and settlement for wheat with farmers on a quantity and quality basis. This results in the creation of a vast volume of screenings, as Canada now offers in world markets regularly wheat with maximums as low as one-half of 1 percent of dockage and foreign material combined. Such wheat, requiring low cleanout by mills abroad, finds strong market demand.

These screenings, in abundant supply in Canada, are usually available at prices representing little more than actual grain or oilseed content (under 25 percent to qualify as screenings) plus loading and freight cost at such large grain terminal centers as Vancouver, B.C., and Fort William-Port Arthur. The tariff on imports into the United States is low and on an ad valorem basis. Sometimes the screenings seem attractive because they narrowly clear the 25 percent maximum of live agriculture seed which keeps them barely within the screenings category. Thus their true grain content, often of high quality, sometimes induces a premium payment, in competition with U.S. feed grains in surplus supply seeking domestic outlets.

Under these conditions it would seem logical to see bills pending in the U.S. Congress to set up reasonable protection against the flood of weed seed crossing our borders.

But instead, the only bill pending in House and Senate is one pending to broaden the list of commodities whose screenings are exempted. S. 214, introduced (by request) by Senator Magnuson of Washington State, would insert after the word "buckwheat" the words "rapeseed, mustard seed."

If passed, which is not likely, you would witness an added flow of screenings consisting of up to 24 to 24½ percent rapeseed and mustard seed, with an average of 35 percent weed seed, and the rest inert matter. This would compete with our protein feeds as an ingredient, and these are in abundant supply. But this competition is not our concern here—rather it is the menace represented by the import and distribution of this vast volume of weed seed.

The Department of Agriculture has reported unfavorably on S. 214. I understand that of 35 States replying to a USDA questionnaire sent out in September 1959, 24 reported they favored Federal legislation restricting importation of screenings. I am surprised that the number was not higher. Who can justify this gaping loophole?

It is not only a problem in States along the border. I have seen the weed screenings from Canada frequently, in fact routinely, in dairy feeds sold within 10 miles of the Nation's Capital.

What is the magnitude of the importation of screenings? In the last decade, in terms of tonnage, grain screenings except flaxseed range from 150,000 to nearly 300,000 tons a year. But the significant point is that on the average 35 percent of this is weed seed. That means from 50,000 to more than 100,000 tons of weed seed a year.

In value stated for purposes of determining duty, the group ranges from $2.5 million to $6 million.

In addition, flaxseed screenings alone, all from Canada, have ranged since 1954 from about 30 million pounds to 92 million pounds, with a value of about one-half million to well over a million dollars a year. They are filthy with weed seed content, many noxious under definitions used in most States.

Canada is the chief source, but shipments of Mexican, Brazilian, and Argentine origin are also shown. Last year Cuba was also a source.

In terms of volume, here is a picture of receipts in carload lots at one port of entry—Duluth—alone:

	Cars
January–March 1958	59
April–June 1958	50
July–September 1958	64
October–December 1958	89
January–March 1959	164
April–June 1959	96
July–September 1959	63

Briefly let us look at the content of typical shipments, as shown in the reports of inspectors.

Here is a car received at Duluth last October 20. It contained 33.658 percent of weed seed. There were 900 or more Canadian thistle seeds to the pound; 3,600 or more mustard seeds to the pound; 24,750 Frenchweed to the pound; and some 200 or more sowthistle to the pound.

Quackgrass seed is typically found in large numbers, a study of many samples shows.

The vast quantities of weed seed thus introduced is the important point. Few nations share our tolerant laws in this respect.

The impact of these imports in terms of harm tends to be great and usually is concentrated in areas of distribution dictated by transportation costs and available modes of transportation, including rail, trucks (within the U.S.), and lake vessels.

It is true that some States have stringent paper requirements with respect to grinding or heating the weed seeds, intended to render them nonviable. Such measures are seldom wholly satisfactory.

These rules vary, and a helpful movement toward greater uniformity is underway. Of course, such paper regulations are not self-enforcing. Faith to that effect would be misplaced. Often State enforcement personnel is limited. The primary need is to concentrate on halting the unneeded and undesirable imports rather than on expensive policing followup often required here.

It seems to me that, in view of the potential damage to the fields and pastures of the U.S. farmer, this whole area of weed seed distribution requires some further research, but actually more the application of what is known but not well understood. There is a need for education and the building of interest and understanding which will lead to prompt and effective action.

The first need is to attack effectively these wholly unneeded, unworthy, and unwelcome imports.

Certainly a vigorous self-defense effort in this respect could not be interpreted as an unfriendly act by any exporting nation—chiefly Canada in this case. No country, least of all Canada, would take pride in serving as the source of noxious weed invaders.

Canada does not permit truck shipments of such weedy screenings, to protect her farmers and roadsides. She treats her own weed seeds like smallpox, would hardly expect more neighborly treatment elsewhere. For example, in 1950, the Canadian feed law prohibited the sale of screenings in Canada containing over 1 percent of certain named ground seeds considered injurious to the health of animals. They included seeds in the mustard family. The Canadian law also limited the number of viable noxious weed seeds to 15 per ounce. Thus, the Canadian standard was and is higher than our standard.

How can we do less for Canada re its screenings than it does for its own farmers?

This society has an opportunity and a responsibility, in my opinion.

To you who are technically trained and competent, and capable of full awareness of the danger and damage of weed seed importation and migration, we must look for leadership.

I am sure that utilizing the information already at hand, and alerting all who have a genuine basis of interest in this serious matter, including Members of Congress, would soon achieve results.

I know that farmers who have formed and control grain cooperatives will actively support a program to meet this problem, not only those marketing grain but those manufacturing and supplying feed to their farmer-members.

Personally, I served as a member of the original USDA committee which developed the Seed Act of 1939. I am now aware of many of its deficiencies, especially its grave defect on imports of weed seeds in screenings. I will volunteer to be of any possible assistance if you will assume leadership to obtain needed action in behalf of producers.

Mr. HENDRICKSON. Thank you very much. Beyond that, there is one point I have heard; that is, that there are some objections to this legislation, and it is largely centered on this, that there are a few instances, apparently, oilseeds are imported as a part of screenings where, perhaps, there is no real objection because they are cooked in the process of processing which has the result of destroying any viability of the seed. I think it would be desirable to give consideration, perhaps, to adding a proviso here where importers will testify to the effect that the oilseeds will be subjected to heat treatment in excess of the boiling point. I am not expert enough to know how long a time it would take to do that, but I am told that this process does involve boiling of these seeds and all viability is destroyed and that that would be acceptable as an addition to the proposed bill. That is all I have to suggest.

We favor the bill. We feel that it is necessary, and that these screenings are in very abundant supply and are very inexpensive, and that many of these worst seeds, noxious seeds that develop and infest fields in this country do have their origin in connection with the import of screenings.

Mr. POAGE. Do I understand you to say that these screenings contain weed seeds?

Mr. HENDRICKSON. There are two categories. Most of these screenings are screenings that result from the cleaning of grain, especially wheat, and they represent a danger because they are not cooked in any form. They are used in manufacturing seed. And I have heard expert testimony to the effect that when the hammer mills are sharp and just freshly in shape that the viability of the seed is really destroyed, but after the hammer mill has run even for 15 or 20 minutes, the edges are gone, and a great many of these seeds will persist, so far as viability is concerned.

However, a smaller category is represented by the importation of both flax seed and rape seed in connection with the screenings from these, and the use of these in this country, to the extent that they are manufactured for the extraction of oil; at least, there the viability of the seed is destroyed, because they are subjected to relatively high temperatures. How important that is, I do not know.

Mr. POAGE. Is the viability of all of them destroyed?

Mr. HENDRICKSON. By the high temperatures?

Mr. POAGE. Yes.

Mr. HENDRICKSON. Yes, I have heard testimony to the effect that if we reach the boiling point for, say, a number of minutes, that practically no seed will survive that. When it comes to passing through the animals, however, the viability seems to persist, in the case of all animals except sheep.

Mr. POAGE. Have you any suggestion that we should require the heat treatment of these seeds?

Mr. HENDRICKSON. No. All I am suggesting is the possibility of an amendment which would provide that where there is a certification by the importer it would be to the effect that the oilseed screenings would be subjected to heat treatment, which the experts agree would destroy the viability. And I think, because of the objection that has been raised with respect to interference with international trade that, perhaps, that kind of an adjustment could be made in the legislation and still fairly and adequately protect the farmers against infestation of weed seeds.

Mr. POAGE. Thank you very much.

Are there any questions?

(No response.)

Mr. POAGE. If not, we are very much obliged to you.

Mr. HENDRICKSON. Thank you.

Mr. POAGE. We will now hear from Mr. Davidson of the Department.

STATEMENT OF WALTER A. DAVIDSON, DIRECTOR, GRAIN DIVISION, ACCOMPANIED BY NATHAN KOENIG, SPECIAL ASSISTANT TO THE ADMINISTRATOR, AND DR. M. G. WEISS, ASSOCIATE DIRECTOR, CROPS RESEARCH DIVISION, AGRICULTURAL MARKETING SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. DAVIDSON. Mr. Chairman and members of the committee, I am Walter A. Davidson, Director of the Grain Division, AMS of the U.S. Department of Agriculture.

Our primary interest in the passage of H.R. 5546 is the effect it would have on the introduction and dissemination of weed seeds. The Federal Seed Act, the administration of which is lodged with the Grain Division, AMS, enforces restrictions against the dissemination of weed seeds in interstate commerce in accordance with the laws of the States into which seed is shipped and also restricts the amount of weed seeds in seed imported for sowing purposes.

Through the years, we have been aware of concern on the part of State officials about the rather widespread dissemination of weed seeds in screenings when, at the same time, strenuous efforts were being made to prevent such dissemination in seed for sowing purposes. Particular objection has been raised with respect to the importation of screenings. The present wording of the Federal Seed Act makes a substantial contribution in its prohibition against the importation of screenings of many kinds of seeds. Exemptions were made, however, for 15 kinds of screenings presumably on the assumption that these screenings have feed value.

Fairly extensive sampling of imported screenings show that the weed seed content ranges as high as 60 percent with the average about 35 percent. Much of this consists of noxious weed seeds which is specifically legislated against under the State seed laws and the Federal Seed Act.

In a survey conducted with the States in 1959, 24 out of 35 States replying to a questionnaire indicated a desire for Federal legislation restricting the importation of screenings. The question to which the States replied was worded as follows:

> In your opinion, would Federal legislation prohibiting or restricting the importation into the United States of screenings containing excessive amount of weed seeds be helpful in your efforts to control the dissemination of weed seeds in feed in your State?

One experienced State feed and seed control official has stated that in his opinion the "greatest carrier of viable weed seeds has probably been the low-grade dairy feeds that often carry screenings as an ingredient."

The replies from the questionnaire indicated that at least 25 States have some measure of control over the weed seed content of feed

offered for sale. Fourteen indicated they had outright prohibitions against the presence of weed seed or a requirement that the weed seed be devitalized.

Research has shown that weed seeds are not always rendered nonviable even if the screenings are ground and subsequently ingested by animals. All screenings are not necessarily ground for feeding purposes. Dissemination of weeds results.

The vast bulk of imported screenings come from Canada; however, there are some importations from other countries. Importations of grain screenings have averaged approximately 200,000 tons annually, and flax screenings have averaged approximately 30,000 tons annually. These were valued at approximately $4½ million. During 1960 and 1961 the volume was reduced to about 100,000 tons of grain screenings and 22,000 tons of flax screenings valued at $1,350,000.

While we recognize that enactment of the proposed amendment would impair a concession given under the trade agreements program of the United States, we feel the proposed amendment is proper and comes under section 20 of the general exceptions of the General Agreements on Tariffs and Trade which provides, in part—

> * * * nothing in this agreement shall be construed to prevent the adoption or enforcement by any contracting parties of measures: * * * (b) necessary to protect human, animal, or plant life or health; * * *.

Abundant data exist which demonstrate the detrimental effect of weeds on the life of economic plants.

As a matter of fact, farmers each year are spending millions of dollars to combat the harmful effect of weeds.

If you please, Mr. Chairman, Dr. Martin Weiss is here with me, from the Agricultural Research Service. Dr. Weiss is Associate Director of the Corps Research Division, which Division made some studies with respect to weed control, and if you agree I would like to ask Dr. Weiss to make a statement in this regard.

Mr. POAGE. We will be glad to hear from you, Dr. Weiss.

Dr. WEISS. I am Martin G. Weiss, Associate Director of the Crops Research Division of the Agriculture Research Service.

Since the development of the first major selective herbicide, 2–4–D, during World War II, there have been many attempts by the research departments of industry, State and Federal agencies to develop additional selective herbicides. There have been varying degrees of success.

In general, if the weed involved is closely related botanically to a crop in which it is found it is very difficult to find a selective herbicide.

In wild oats, for example, which is a bad weed, as you know, in small grains, sugarbeets, and dry peas of the Northwest, it has been much easier to develop a selective herbicide to control it in sugarbeets than, for instance, in small grains.

In the development of selective herbicides, however, some breakthroughs have occurred which have resulted in excellent success. In many areas these new herbicides have permitted growers to pretty well clean up some of these troublesome weeds. Any reinfestation from any source, of course, makes it a continuing problem.

In the areas where selective herbicides are used there is a tendency for the resistant species to build up at the expense of those that are destroyed. This is particularly true, for instance, in Canada, where a very large portion of the small grain acreage is presently sprayed

with selective herbicides. These resistant species have been building up, and they comprise a larger portion of the prevalent weed seeds.

Not only is there a difference among species as to their susceptibility, but strains within species vary as well. In Montana, cooperative State and Federal experimental work indicates that there are vast differences among strains of Canada thistle and wild oats as to tolerance or susceptibility to the existing herbicides. They have made collections from widely varied areas, in fact, some of the more resistant wild oats strains were collected in Canada. We are finding that the resistant strains to selective herbicides are building up very rapidly.

We feel that by providing a means of distributing these resistant species and resistant strains we are accentuating our weed control problem. I thank you.

Mr. DAVIDSON. I would like to call attention, if I may, Mr. Chairman, to the report that the Department made on the bill which, I think, is in your committee files, advocating the passage of this bill.

Mr. POAGE. Thank you, Mr. Davidson.

Are there any questions?

Mr. SHORT. Mr. Davidson, would the Department have any study available in regard to the imports of screenings, as to the weed content; that is, a sort of an average weed content of these screenings? Did you say it was about 35 percent of those that are imported?

Mr. DAVIDSON. That is right. And the weed seed content we found varies up to 60 percent. In some of these we found a percentage of inert matter, running up as high as 60 percent.

Mr. JOHNSON of Wisconsin. What regulations have you in regard to the transportation of screenings from one State into another State in the United States?

Mr. DAVIDSON. Actually, the only thing that applies at the present time is the provision of the Federal Seed Act which prohibits the shipment in interstate commerce of screenings for seeding purposes.

Mr. JOHNSON of Wisconsin. For what?

Mr. DAVIDSON. For seeding purposes.

Mr. JOHNSON of Wisconsin. Then there is no regulation in the United States that stops, for instance, someone in Minneapolis from shipping screenings into Wisconsin?

Mr. DAVIDSON. No, no Federal law restricts that, that is right.

Mr. JOHNSON of Wisconsin. But this law would stop it from Canada, but would not stop it being shipped from Minneapolis or North Dakota or South Dakota?

Mr. DAVIDSON. I think that is correct. However, some States have taken steps, as I indicated, to restrict the sale of screenings or feeds containing weed seeds.

Mr. JOHNSON of Wisconsin. Do not some of the States make checks on them to see that the weed screenings are killed?

Mr. DAVIDSON. I think that is true, that they do this. And they prohibit in 14 States, at least, the sale of these screenings, unless the weed seeds have been devitalized.

Mr. JOHNSON of Wisconsin. Thank you.

Mr. BREEDING. Are we permitted to ship screenings into Canada; that is, the kind of screenings that come from Canada into the United States?

Mr. DAVIDSON. No. The Canadian Seed Act prohibits the importation into Canada of weed seeds or material containing that.

Mr. BREEDING. Why do we not have similar laws to prohibit them coming into our country?

Mr. DAVIDSON. This amendment to the act, I think, would accomplish that substantially. Our seed laws, of course, prohibit the importation of seed for sowing purposes containing weed seeds beyond a certain limitation, but this does not, of course, cover the importation of screenings, these 14 or 15 exempted kinds. It does prohibit the importation of screenings of other kinds of seeds.

Mr. JOHNSON of Wisconsin. If we are going to make this law to really stop the importation of weed seeds; that is, to control it, we should make it apply to the United States, too.

Mr. DAVIDSON. I think we would be sympathetic toward such legislation.

Mr. JOHNSON of Wisconsin. All we are doing here is to stop 35 percent, is that correct and we are letting 65 percent go?

Mr. DAVIDSON. Except to the extent that the States by their own legislation impose restrictions, I think that is true.

Mr. JOHNSON of Wisconsin. That keeps out the Canadian, too, does it not?

Mr. DAVIDSON. Yes, it would.

Mr. POAGE. Are there any further questions?

Mr. HEIMBURGER. I wonder if the gentleman might furnish us with a list of the 14 States which have legislation. I believe that you mentioned there were 25 States which regulate the number of weed seeds or the amount of weed seeds which can be present in feed from any source.

Mr. DAVIDSON. We would be happy to provide that.

Mr. HEIMBURGER. So that we may have the names of the States.

Mr. DAVIDSON. Yes.

(The information follows:)

A survey conducted in 1959 in which 35 States replied to a questionnaire regarding Federal screenings legislation indicated that the following States have some legislation controlling the use of screenings in feed:

Alabama	Iowa	Oklahoma
Arizona	Maine	Pennsylvania
Arkansas	Maryland	Utah
California	Massachusetts	Vermont
Delaware	Nebraska	Virginia
Hawaii	New Hampshire	Washington
Idaho	New Mexico	West Virginia
Illinois	New York	Wisconsin
Indiana		

This survey also indicated that the following 14 States had outright prohibitions against the presence of weed seed or a requirement that the weed seed be devitalized:

Alabama	Illinois	Oklahoma
Arkansas	Indiana	Utah
California	Nebraska	Washington
Hawaii	New Mexico	West Virginia
Idaho	New York	

Mr. POAGE. Thank you, Mr. Davidson.

Mr. DAVIDSON. Thank you.

Mr. POAGE. We will next hear from Mr. William Heckendorn, of American Seed Trade Association.

STATEMENT OF WILLIAM HECKENDORN, EXECUTIVE SECRETARY, AMERICAN SEED TRADE ASSOCIATION, WASHINGTON, D.C.

Mr. HECKENDORN. Mr. Chairman and members of the committee, my name is William Heckendorn and I am the executive secretary of the American Seed Trade Association, with headquarters in Washington, D.C.

We represent, probably, about 700 members located throughout the United States who are engaged in the growing, harvesting, conditioning, and distribution of seed. We have to contend with the Federal Seed Act, which is a regulatory law requiring us to label our seed, not only as to its purity, but as to the noxious weed content and inert matter as well.

Our interest in this particular legislation is more directly from the fact that all of the seeds that we handle are produced on the farms of the United States or of Canada or of some other country, and to begin with, the weed seed with which we must deal in the distribution of seed in the United States is in the seed at the time that it is produced. So we are, naturally, interested in anything that is going to control the increased production of weed seed, because it increases the problem of having to remove the weed seed before the seed can be shipped freely in interstate commerce and intrastate commerce.

We are not the ones that really should be protesting the importation of this particular type of commodity. Nevertheless, to the extent that it does get into the commerce of the country and does increase the weed problem in the country it increases our problem in having to remove the weed seeds before we can properly label our seeds for channels of commerce. For that reason we would feel that something should be done to restrict the commerce in weed seeds wherever it can be done. This would be one means of prohibiting or, at least, eliminating the spread of weed seeds from farm to farm. Wherever a commodity is shipped in a concentrated form, such as the screenings would be shipped in carload lots you would, naturally, have a greater concentration of weed seeds in that particular lot than you would have in a carload of wheat, for instance.

The contamination that could result from the leakage from cars, from State to State, as it goes from one State into another State, which, probably, would be far greater from that point of view than would be the contamination arising from a carload of wheat shipped from State to State.

It is peculiar that the American Seed Trade Association should be opposed to the importation of weeds, but, on the other hand, we are not opposed to the importation of seed; that is, that is clean. And that does meet the conditions provided for in our Federal and State seed laws.

It is the position of the American Seed Trade Association that the seeds serve a greater economic use in our country than do the weed seeds. It would be our thought, I believe, that if these screenings were to be permitted to come into this country that they should be rendered sterile in some form, so that they would not be viable and would not germinate, and would not grow, should they find their way into the soil of our farms.

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Our weed problem is a big problem. We have to contend with it in every lot of seed that we handle. It is practically impossible to produce a lot of seeds that will be free of weeds. As an example, in Michigan we have been carrying on experiments there for over 50 years on soil tests that were taken up some 50 years ago, and a part of that soil is taken out each year and subjected to growing conditions, whereby moisture and heat would be added to determine how long weed seeds will germinate. Well, gentlemen, they are still germinating. So it is necessary for us wherever we can to try and eliminate the spread of weed seeds in the United States.

We are not the ones, probably, that should be protesting this as vigorously as some of the other folks, but, nevertheless, it is a problem insofar as the seed industry is concerned and we support the legislation.

I thought the committee had done a very good job when I saw the report that it had been reported out with the recommendation that it be passed, but here I am again. So I hope that what I have said will be useful to the committee.

Mr. POAGE. May I say to you, on behalf of the committee, that the reason we are here today is that there was objection from those who felt that they had been denied an opportunity to present their views and we wanted to hear the views of everybody, whether they are for or against this legislation. We had not been advised of opposition to it. It turns out that there might be some opposition, and we want to hear from them, so that there would not be any charge of being partial. We want to hear from everybody and we will hear from them now. If there are no questions, we are very much obliged to you.

Mr. HECKENDORN. Thank you.

Mr. POAGE. We will now hear from Mr. Otis Tossett, who will be introduced by Mr. Short.

Mr. SHORT. Mr. Chairman, I feel quite honored this morning in having the opportunity to introduce to the committee one of the outstanding citizens of our State of North Dakota and my good friend, Mr. Otis Tossett from Lansford, N. Dak., who will give us his views on this legislation that is before us.

Mr. POAGE. We will be glad to hear from you, Mr. Tossett.

STATEMENT OF OTIS TOSSETT, STATE WHEAT COMMISSION, LANSFORD, N. DAK.

Mr. TOSSETT. Thank you, Mr. Short.

Mr. Chairman and members of this committee, as stated, my name is Otis Tossett and I live at Lansford, N. Dak. I am a farmer. I live happily between Minot and the Canadian border; in fact, my grain elevator and farm business which I conduct as an independent business is within 25 miles of the Canadian line.

I am a director of the North Dakota Wheat Commission and vice chairman of the Great Plains Wheat, Inc., a marketing and promotional agency consisting of the States of North and South Dakota, Nebraska, Kansas, and Colorado.

I, too, am going to be very brief, sir, because I know of the busy schedule you have. I would like to speak at length on such an important subject as this to the American farmer. However, I am going to be very brief. And should I miss some opportunities here where I am not completely clear, I hope that you will ask some questions.

I was quite interested in your remarks, sir, just a minute ago insofar as the importations of American screenings to Canada were concerned. Being quite interested in this problem, and being quite active in the business, I have on a few occasions, during the past several years, visited the border stations that lead into Canada from the United States, mostly at Port Arthur, Sherwood, and North Gate in North Dakota. They are the custom stations that lead into Canada.

Just this past summer, sir, I inquired into the feasibility of importing some screenings from Canada into North Dakota. I proposed that I was going to visit the station with a truck and get a load of screenings and import them into North Dakota. I inquired into the regulations that I would have to comply with.

You must remember now that the custom stations are not operated by the Department of Agriculture. They are operated by the Treasury Department. And the definitions that accrue in one category and another are not always completely reasonable, insofar as agriculture is concerned. I asked the customs inspector if he would permit me, after I imported the screenings, to drive within the borders of the United States to, say, 100 feet or 200 feet or one-half mile, and then turn around and attempt to bring these screenings back into Canada. I asked him exactly what his position would be. And he told me that they have very stringent laws in Canada that would completely prohibit me from reentering into Canada with their own screenings, should I ever attempt to bring them across into North Dakota.

The same thing is true, I am sure, with the screenings that are exported from Fort Williams, Port Arthur, by barge or otherwise or by boxcar.

I explored this situation even further last winter when I had the unique opportunity of attending as a delegate to the International Wheat Conference in Geneva, Switzerland. I visited at length with Mr. McNamara of the Canadian Wheat Board, and also with the president of various grain pools in the Dominion of Canada. I explained this situation to these gentlemen, because, I, too, have a friendly feeling toward our neighbors to the north. I explained the laws they have. I wondered what their position would be should we inaugurate and insist on the same protection to the American farmers that the Canadian Government fosters for their own people in Canada. And they told me that, apparently, I was apologizing for the laws we have in the United States in that respect and they were quite proud of theirs. And they, certainly, took the position that they in nowise would object to a law that afforded to the agriculture of the United States the same measure of protection that they afford to their own farmers in Canada. I felt that that was quite an important point.

I can visualize, perhaps, that there will be some who will insist that this is a measure, as to this importation of screenings from Canada, that is a service to American agriculture and the seeders, especially. I know that these screenings are purchased in Canada by the bargeload and in boxcars and handled as refuse. Their content of weeds runs into the millions per pound, according to an analysis that has been made, so that these figures should be official, since they have been made by the grain trades in Minneapolis. I would not undertake to make this count myself, but those are figures that have been released that there are screenings that are being imported at the moment with

a count as high as 2 million weeds per pound. And it is completely impractical to destroy these by any means of grinding that is known in the field at the present moment.

We have ample stocks of feed in the United States. In fact, in one of the impressions I received more than any other at the Geneva Wheat Conference was the fact of the ability of the American farmer to produce food, which is the wonder and the envy of all of the civilized nations of the world, sir.

The deception is carried even farther when it is stated that these screenings, this refuse from Canada, is of real value and has a feeding purpose in the mixtures that are distributed in the United States. The feeding value of this refuse is not high. It is merely a filler, a cheap filler—a filler that is almost as cheap or, perhaps, cheaper to acquire than the soil on the lake shores of Lake Superior, where it is imported in great quantities. It is prohibited from going into the channels of trade in Canada because of the high weed content and the fact that it would be a false economy to permit this stuff to go into the feeding channels. And yet it is imported into the United States by bargeloads, boxcars and trucks.

There are stringent State laws to protect agriculture in the processes of moving combines across State lines, for instance, in the harvesting of the grains in the United States. They must be cleaned on port of entry, and things of that kind, and properly so. State laws govern those things. Yet I can take a truck of screenings from Canada and drive all the way to the State of Texas with it and you can understand fully the impossibility of policing such a matter as that; it just is not possible to police all of that, even though you have State laws to govern the subject. State laws can govern and regulate, sir, in many fashions the transportation of screenings from State to State. However, State laws cannot affect and properly deal with international trade across the boundary from Canada into the United States. We must have national protection in that respect, in that field, and that is why we are here appearing this morning to urge the passage of this bill, because the only feasible way to stop this evil—and this is a very expensive evil—in the United States is to prohibit the screenings entirely.

I have here a sheaf of telegrams which I am not going to read to you, sir, but I am going to ask permission to have them inserted in the record.

One in support of the bill is from the North Dakota Farm Bureau. Another is from the North Dakota Crops Improvement Association, sir, because they, too, can visualize and have had experience in the field protecting the American farmer. Another telegram in support of the bill is from Matt Dahl, commissioner of agriculture and labor in the State of North Dakota, a man very conversant with the evils that are inherent in this. Another is from the Durum Growers Association supporting the bill. I have quite a number of telegrams from screening dealers in North Dakota, the very people you might think would be in support of imported screenings from Canada, and they call attention to the fact that the screenings market has been completely disrupted by the wholesale dumping of these screenings from Canada on the U.S. market. They also call attention to the fact that these screenings do not have nearly the feeding value as some people would have you believe.

Then we have here another sheaf of telegrams—and these telegrams are all unsolicited, insofar as I am concerned—we had only 3 days' notice in North Dakota as to the hearing or rehearing of this bill, so that I was taken quite by surprise—and these are from Mr. Lloyd C. Hanson, executive secretary of the Farmers Grain Dealers Association of North Dakota, consisting of farmers and cooperative elevators as well as independent elevators in the State of North Dakota, who wholeheartedly are supporting the passage of this bill. In addition to that, we have a telegram here from the manager of the State mill elevator in North Dakota whose business and interests are vitally affected insofar as the dumping of these refuse screenings from Canada are concerned, because they must find a market for their middlings and brans and various byproducts.

Then we have another sheaf of telegrams from directors of the Farmers Grain Dealer Association of North Dakota.

Mr. POAGE. Without objection the committee will make these a part of the record.

(The telegrams follow:)

DEVILS LAKE, N. DAK., May 8, 1962.

OTIS TOSSETT,
1411 K St. NW., Washington, D.C.:

Definitely opposed to any further importation of Canadian screenings in any form or manner. Have found Canadian screenings to be generally high in ash and fiber, factors quite undesirable for good U.S. feed products. Duty on Canadian screenings into the United States is 2½ percent. Supply of screenings and milling products are ample in United States.

Let's not jeopardize our U.S. position with any further imports of screenings. Let us rather put some of our idle acres back into production with feed grains and help our already distressed farmers. Make it possible to keep some of them on the farms instead of driving them off by continued reduction in acreage. These grains raised from idle acres could be made available to feed manufacturers. Let's use our own products and patronize our own transportation facilities first. We have sufficient supplies in the United States but we don't use them.

KURDA MILLS, INC.,
EARL KURTZ, *Manager.*

JAMESTOWN, N. DAK., *May 8, 1962.*

OTIS TOSSETT,
1411 K Street NW., Washington, D.C.:

Support your idea to stop screenings importation from Canada. Feel it will help eliminate wheat seed problems. The continued use of Canadian screenings has made some of our U.S. screenings valueless.

KURDA MILLS, INC.,
Spiritwood, N. Dak.
OSCAR SATERN, *Manager.*

MAYVILLE, N. DAK., *May 8, 1962.*

OTIS TOSSETT,
1411 K Street NW., Washington, D.C.:

Regards to screenings import from Canada, we dumped 420 tons of screenings that had no value in Minneapolis market. We strongly suggest you stop all importations of Canadian screenings. Our supply this country more than ample for the demand.

KURDA MILLS, INC.,
ERNEST AASEN, *Manager.*

PLEASANT LAKE, N. DAK., *May 8, 1962.*

OTIS TOSSETT,
1411 K Street NW., Washington, D.C.:

Hauled 372 tons screenings to dump and gave away 100 tons in 1961 Minneapolis market, $6.50 to $7.50 per ton, then. Freight and commission to Minneapolis, $10.50. Would have to borrow money to ship these screenings. Do not need to import Canadian screenings. Need market for our own products instead.

PLEASANT LAKE GRAIN CO.,
GENE ELLINGRUD, *Manager.*

DEVILS LAKE, N. DAK., *May 8, 1962.*

OTIS TOSSETT,
1411 K Street NW., Washington, D.C.:

Backing you 100 percent on stopping importation of Canadian screenings. It has ruined the U.S. market on some screenings. Many country elevators are forced to throw away screenings because the Minneapolis market won't support the freight.

KURDA MILLS, INC.,
CLIFFORD ABRAHAMSON, *Manager.*

ABERDEEN, S. DAK., *May 9, 1962.*

OTIS TOSSETT,
1411 K Street NW., Washington, D.C.:

We strongly support your position to stop importation of screenings from Canada. This dumping depresses prices on our U.S. screenings at feed markets.

KURDA MILLS, INC.,
I. E. GRANDBOIS, *Manager.*

LANGDON, N. DAK., *May 8, 1962.*

OTIS TOSSETT,
North Dakota Wheat Commission,
1411 K Street NW., Washington, D.C.:

Durum Growers Association of the United States strongly urge support of H.R. 5546 to amend Federal Seed Act as amended with respect to screenings of seed. Canada currently has embargo on latest released and approved U.S. durum varieties.

R. C. CROCKETT, *President.*

BISMARCK, N. DAK., *May 8, 1962.*

OTIS TOSSETT,
1411 K Street NW., Washington, D.C.:

Please do all you can to insure the passage of H.R. 5546. I am in full support of this amendment.

MATH DAHL,
Commissioner, Department of Agriculture and Labor.

FARGO, N. DAK., *May 7, 1962.*

OTIS TOSSETT,
Member North Dakota Wheat Commission,
1411 K Street NW., Washington, D.C.:

The North Dakota Crop Improvement Association supports H.R. 5546 to prevent the importation of any crop seed screenings from Canada on the basis that we have surplus feed crops in the United States and that these screenings are a means of spreading weed seeds on U.S. farms.

JACK WILKINSON,
President, North Dakota Crop Improvement Association.

FARGO, N. DAK., *May 7, 1962.*

OTIS TOSSETT,
1411 K Street, NW., Washington, D.C.:

H.R. 5546, North Dakota Farm Bureau favors amendment to prevent importation of any weed seed.

NORTH DAKOTA FARM BUREAU,
G. J. STAFNE, *Administrative Assistant.*

FARGO, N. DAK., *May 9, 1962.*

OTIS TOSSETT,
Washington, D.C.:

This association consisting of 250 local co-ops and independent elevators urges you contact our Senators and Representatives pleading support and passage H.R. 5546 to prohibit importing Canada screenings into United States. Strongly support and urge program of expedience in upgrading quality of farm grain so we may gain acceptance in world markets.

LLOYD C. HANSON,
Executive Secretary, Farmers Grain Dealers Association of North Dakota.

GRAND FORKS, N. DAK., *May 8, 1962.*

OTIS TOSSETT,
1411 K Street NW., Washington, D.C.:

We are opposed to any importation of any weed seeds under the guise of Canadian refuse. We favor the support of Senate bill 1314, House bill 5546. We favor any bill prohibiting importation of any farm product now in surplus.

NORTH DAKOTA MILL & ELEVATOR CO.,
N. LILLEGARD.

CLEVELAND, N. DAK., *May 9, 1962.*

OTIS TOSSETT,
1411 K St. NW., Washington, D.C.:

Wish to urge passage of H.R. 5546. Please do all in your power.

ARCHIE ZIMMERMAN.

MINOT, N. DAK., MAY 9, 1962.

OTIS TOSSETT,
1411 K Street, NW., Washington, D.C.

Would like to have our Senators and Congressmen support bill H.R. 5546 which we think is toward the right step of control.

MINOT FARMERS CO-OP GRAIN ASSOCIATION.
LAWRENCE WOLD, *Manager.*

JAMESTOWN, N. DAK., MAY 9, 1962.

OTIS TOSSETT,
1411 K Street NW., Washington, D.C.

H.R. 5546 is important to us. We are trying to upgrade North Dakota wheat. We strongly urge the passage of this bill.

JAMESTOWN GRAIN CO.

WILLISTON, N. DAK., *May 9, 1962.*

OTIS TOSSETT,
Washington, D.C.

DEAR MR. TOSSETT: We would like to urge and encourage you to speak to the Honorable Congressmen Don Short and Hjalmar Nygaard and the Honorable Senators Milton Young and Quentin Burdick and urge them to support H.R. 5546, relative to the imports of screenings and grain from Canada as we feel this

bill would have a very beneficial effect on North Dakota agriculture. Thank you very much.

Sincerely,

FARMERS ELEVATOR CO.,
ERWIN G. MILLER, *Manager.*

WASHBURN, N. DAK., *May 9, 1962.*

OTIS TOSSETT,:
Washington, D.C.

Kindly urge our legislatures to support passage of H.R. 5546. Top quality wheat at market is a must.

MERLE A. LARSON, INC.

Mr. TOSSETT. You may remember that I have appeared in past years before your committee at various times, so far as soil conservation districts and conservation of our soil and natural resources are concerned. Even in that category I think that I could speak quite at length and call attention to the enormous waste that is proposed and fostered by the American farmers here in attempting to deal with the weed problem in the United States.

I thank you very much.

Mr. POAGE. Thank you very much. Are there any questions? If not, we are very much obliged to you.

Mr. TOSSETT. Thank you.

Mr. POAGE. Mr. Breeding, do you want to introduce the next witness?

Mr. BREEDING. We have a guest here this morning who will testify on behalf of the National Association of Wheat Growers, and since I am a wheatgrower I think that it is a great privilege to introduce to the committee Mr. Dyess, whom I think all of us know.

Mr. POAGE. We shall be glad to hear from you now, Mr. Dyess.

STATEMENT OF JAMES B. DYESS, EXECUTIVE VICE PRESIDENT, NATIONAL ASSOCIATION OF WHEAT GROWERS

Mr. DYESS. Mr. Chairman and members of the committee, I appreciate the opportunity to present a brief statement for the National Association of Wheat Growers in support of H.R. 5546, to amend the Federal Seed Act.

This bill would extend the prohibition on the importation of screenings to all agricultural and vegetable seeds which are not now included in the act.

Screenings can now be imported, containing an unlimited percentage of live weed seeds. In the normal process of transporting, handling, and feeding of these screenings, many live weed seeds are scattered throughout the countryside. Our members are seriously concerned about the danger of widespread infestation of noxious weeds, particularly Canada thistle, which is ever present under present laws.

The association, in its annual meeting at Boise, Idaho, last December, adopted the following resolution:

"We recommend that the National Association of Wheat Growers support legislation to prevent the importation of live weed seeds into the United States."

Opponents of this bill have belittled the dangers of weed infestation, have pointed to the monetary value of these imported screenings, amounting to about $2.6 million in 1960, and have asserted that

enactment of this bill would substantially reduce our trade with Canada.

On the basis of the figures supplied by the State Department, this importation of screenings constitutes less than 1½ percent of the total value of agricultural imports from Canada. This does not seem to be a substantial reduction.

From the standpoint of pure economics, it seems unreasonable to encourage the importation of several hundred thousand tons of feed stuff each year when the Federal Government is spending millions of dollars to reduce the quantity of feed produced in the United States.

Especially is this poor economics when these imports, by spreading live weed seeds throughout the countryside, increase the cost of weed control for individual farmers.

Mr. Chairman, it is our hope that this bill will be enacted. Thank you.

Mr. POAGE. Thank you very much. Are there any questions?

Mr. BREEDING. I want to ask a question. Probably the gentleman, Mr. Tossetts, who spoke before you, might be better able to answer this question. I think that he was from North Dakota. What percent of feed value do these screenings have in comparison with other feeds?

Mr. DYESS. Mr. Breeding, I do not know the figures on the feeding value of weed seeds or of the refuse from these screenings, but according to Mr. Tossett's testimony it is rather low—much lower than regular feed grains.

Mr. BREEDING. Who else does this program benefit other than the livestock feeders?

Mr. DYESS. I could not say who it benefits.

Mr. BREEDING. Will you answer that, Mr. Tossett?

Mr. TOSSETT. I think it benefits the dealers who process and import the screenings. I can understand very well their interest in supporting it. They have a legitimate business.

Mr. BREEDING. Do you think that this law will be a difficult law to administer? Should there not be another law to protect them?

Mr. TOSSETT. Yes.

Mr. BREEDING. Shouldn't there be a law to protect us as to the importations from Canada?

Mr. TOSSETT. I have some friends in Canada that agree with me. I attempted quite briefly to call your attention to that. These screenings that are imported from Canada, consisting of their refuse, the real feeding value has been removed, sir, in Canada. The wild oats and buckwheat and the like have been removed and we have left the refuse, which is nothing more than noxious weeds and soil and dust and things of that kind.

Mr. BREEDING. They really have no feed value then?

Mr. TOSSETT. No high feed value, in my opinion. They are filthy.

Mr. BREEDING. Thank you, sir, that is all.

Mr. POAGE. Thank you, Mr. Dyess. Mr. Johnson has a constituent here that he would like to introduce. We will ask our colleague from Minnesota, Mr. Quie, to introduce the next witness.

Mr. JOHNSON. I have present today Mr. Jay W. Martin, president of the LaCrosse Milling Co. at Cochrane, Wis. He is a feeder and elevator man. He also operates in Minnesota, I believe.

There are four gentlemen present who will be at the witness table together.

Mr. QUIE. I will get my introduction in then. Mr. Wilkens, who is a good friend of mine, is with the Minneapolis Grain Exchange, and he has with him Mr. Walsh of the Walsh Grain Co. of Minneapolis, and Mr. Fudali, of the Hiawatha Grain Co. of Minneapolis. I have listened to Mr. Wilkens before and I was not convinced; however, I would like to have them have the opportunity to express themselves.

Mr. POAGE. Mr. Wilkens, we are delighted to have you here, together with your associates. If you care to make a statement for the group, you may do so, or call on them as you care to.

STATEMENT OF GEORGE WILKENS, EXECUTIVE VICE PRESIDENT, MINNEAPOLIS GRAIN EXCHANGE, ACCOMPANIED BY WALTER S. (SHELLEY) WALSH, VICE PRESIDENT, WALSH GRAIN CO., MINNEAPOLIS, AND JOHN P. FUDALI, PARTNER, HIAWATHA GRAIN CO., MINNEAPOLIS, MINN.

Mr. WILKENS. Thank you, Mr. Chairman. I am George Wilkens, executive vice president of the Minneapolis Grain Exchange and I am accompanied on this occasion by members of this association who have a vital economic interest in this matter before your committee.

At the outset may I say that we are the group that is doubly thankful for this opportunity. It is always an opportunity to present your side of the picture on any particular subject. We are the group, however, who came late and we are doubly pleased to have you back up a little bit to give us a chance to talk and we express our appreciation to you.

Mr. POAGE. We are glad to have you.

Mr. WILKENS. We thank you for this courtesy.

Perhaps I should make a brief statement to the effect that the Minneapolis Grain Association is an association of 500 men. They are engaged in all phases of grain marketing and processing.

The group that is here today consists of those who are primarily concerned with the screenings.

There was some discussion before here about the nutritive value of these ingredients. The human mind may have some prejudices on particular kinds of feeds—you do not like this or you do not like that, but just as soon as an ingredient gets into the digestive system of an animal the psychology is gone, and from then on you are dealing in chemistry. And the chemistry of nutrition absolutely shows that these ingredients are useful feeds. They are digestible nutrients and useful in the ration and do make constructive gains. There is no mistake about that. The A. D. Wilholt Laboratories are established authorities in this field and will give you proper references.

Here is a publication entitled "Feedstuffs" with an article by Dr. W. M. Beeson, professor of animal science at Purdue University. He addressed a cattle feeding convention at Bakersfield, Calif. He pointed out the importance of refuse. They speak of this as refuse. This is roughage. There are several quotes in here that I should like to give.

However, Dr. Beeson emphasized that roughage is still an important ingredient in the ration of ruminants; and, even though roughage possesses a low energy value, it has other nutritional properties which cannot be replaced with concentrates.

He went on to say that roughage is extremely important in the ration and serves a purpose in the ration.

These gentlemen present with me are using these ingredients and will give you specific instances of how it has served them.

Mr. JENNINGS. I would like to ask a question. Was he referring to this as roughage?

Mr. WILKENS. He was referring to all roughages that are high in cellulose. And these are these ingredients. I have a chemical analysis of samples—a laboratory analysis.

Mr. JENNINGS. Then he was putting it in the class of clover and oats and wheat straw and that type of roughage, is that correct?

Mr. WILKENS. All of these plants have the same ingredients. These are the analyses that were made. They contain protein, fiber, carbohydrates. They are digestible nutrients. Some are digestible and others are not. These are the actual chemical analyses and show the digestibility.

Mr. JOHNSON. I think that is what the committee wants.

Mr. WILKENS. Here is a sample of a carload of typical Canadian screenings that you can find any day on the trading table at Minneapolis.

Incidentally, mention has been made about 65 percent weeds and 35 percent weeds. A typical screening sample does not have anything like that, but that is besides the point.

Mr. JOHNSON. Will you bring that up here?

Mr. WILKENS. The really high ones are those that Mr. Hendrickson spoke of. These have 65 or 35 percent of weed seeds. These are the ones that are heat treated, you see. They go through a hexane chemical process and then are ground. This is the nature of the ingredients that move into the livestock trades. There is no argument on that. These are heat treated. So are ones that you have in the wheat cakes. This is a typical sample of the ingredients which we will pass around and contains protein 13.30 percent, fat 5.90 percent, fiber 16.50 percent and so forth. This is a ground product that they sell to the trade. This is what goes into the ration, not this [indicating].

Mr. JOHNSON. For the purpose of the record what is the analysis on oats and corn—do you have that?

Mr. WILKENS. I have it right here. In oats the protein is 12.50. What is the protein on that?

Mr. JOHNSON. 13.30.

Mr. WILKENS. The fat in oats is 4 percent.

Mr. JOHNSON. This is 5.90.

Mr. WILKENS. The fiber in oats is 11 percent.

Mr. JOHNSON. This is 16.50 percent.

Mr. WILKENS. It is higher in fiber than in oats. The point is that these ingredients, in the digestive system of the animal, that is, the reaction and the response to produce animal tissue in beef, whatever it is, is identical to what you would get out of corn and oats.

I was interested in the remark here about these screenings that they could not go back to Canada; that they could not go in reverse. That is strictly a matter of economics. Can they tell me who wants to import screenings into Canada? Canada is on a net export basis. They clean up the waterline on the Great Lakes. It is uneconomic to move the screenings back into Canada where they might be used,

but they can come at very low cost very efficiently into the United States.

Mr. POAGE. Mr. Tossett said that it was the law. It does not make any difference whether it is economically justified or not. What I want to know, is there a law in Canada on that?

Mr. WILKENS. I am sure that there is a law. I did not mean that. There is no group on that side that economically wants to move it back.

Mr. POAGE. All right.

Mr. WILKENS. That is the point I was trying to make.

Mr. JONES of Missouri. Is this analysis you have given us typical? Is there any uniformity in these screenings? Do they not vary from area to area? Is there not a great variance?

Mr. WILKENS. That is right. I asked of the gentlemen who are in the business, "Will you give me a couple of samples that are typical of the products you bring from Canada?" Mr. Walsh, maybe you can answer the question. What percentage would you say of the screenings that come through the Minneapolis market are represented by those samples?

Mr. WALSH. I feel that they represent approximately 80 percent of the samples we receive.

At Mr. Wilkens' request for a couple of samples to run an analysis on—he was in our sample room—I went to the stack and grabbed a few right off the stack. These are the samples that we had analyzed and are before you.

Mr. JONES of Missouri. Is it standard procedure to get an analysis of each batch that comes in? Each carload or each bargeload?

Mr. WALSH. Most of them.

Mr. JONES of Missouri. Is there any price differential?

Mr. WALSH. There is a price differential. There is a standard price for Canadian wheat screenings or Canadian refuse screenings, but the analysis might vary, not materially, but it will vary.

Mr. JONES of Missouri. Is it not a fact, though, that you are just buying this material as a filler and that you are not interested in what the analysis is, particularly?

Mr. WALSH. We know what the analysis is. That is the reason we are buying it.

Mr. JONES of Missouri. You do not require certain standards?

Mr. WALSH. No, but from past experience of sales—we have been in business 15 years, sir—we know approximately what they are going to run, so we know what we are buying and are willing to pay the price because of our past experience with it.

Mr. HARVEY. What is the average price for this screening material per ton?

Mr. FUDALI. My name is John F. Fudali, and I am with the Hiawatha Grain Co. I have been in this business for 36 years. Any average price would be rather difficult to arrive at. At the present time it is about $21 Duluth.

Mr. HARVEY. That is $21 per ton?

Mr. FUDALI. It has ranged as high as $55 and $56 per ton. That was right after—in the post war years when we were badly in need of all types of feed ingredients and were glad to get all of the Canadian screenings we could possibly get. The price depends on the need and its usage. It is primarily on the need for it on this side of the border.

We have seen times, too, when the price has been relatively low because of the fact that we have not had anywhere near the use for it. Economics changes the price.

Mr. HARVEY. You are primarily a dealer?

Mr. FUDALI. I am a processor, primarily.

Mr. HARVEY. You are what?

Mr. FUDALI. A processor.

Mr. HARVEY. You are a processor?

Mr. FUDALI. We grind and make the base for feed. We sell that to the feed manufacturers, primarily the small ones who use this as an ingredient in primarily cattle feed.

Mr. HARVEY. You buy the screenings and put them into a ground form?

Mr. FUDALI. A ground form.

Mr. HARVEY. Whereby the small mixer or producer can use them as part of his final product?

Mr. FUDALI. That is correct.

Mr. WILKENS. He sells the product that is in that cellophane bag.

Mr. FUDALI. The small feed manufacturer then adds the other ingredients, possibly molasses, linseed meal and so on and makes the finished feed.

Mr. JENNINGS. What would be a substitute?

Mr. FUDALI. I do not think that there really is much of a substitute. It would be difficult to say what they could get. Off hand, I do not know of any substitute that they could find to fill the need.

Mr. JENNINGS. They must be using something.

Mr. FUDALI. Not with those ingredients—not with that exact feed value—not with the feed value that this has.

Mr. HARVEY. The thing that rather disturbs me is the fact that with all of the great productivity we have in this country, including protein production, we feel obligated to import trash of this kind from Canada in order to prepare a viable animal ration. It does not make sense to me.

Mr. WILKENS. Mr. Chairman, may I point out that this is from Canada, from a department release which just came to my desk a couple of days ago. The value, for example, of barley is $15,600,000, the value of oats is $700,000, and the value of wheat imported is $5 million and the value of feeds and powder that includes these Canadian screenings was $5,500,000. So there are other ingredients that are imported from Canada for feeding purposes besides these screenings. So do not just single this one out if you are concerned about protecting the farmer from the imports of these products, because there are many products that come in along with these which are used by the livestock feeders in the United States.

Mr. HARVEY. I am not complaining about an exchange of good products with our good neighbor, Canada, to the north at all. I am simply saying that it does not make sense to me to import trash in order to make a viable livestock ration for the feeders in the United States.

Mr. WILKENS. It is not trash we say. Would you like to hear from Mr. Martin? He buys these ingredients. He feeds cattle. He puts them in his ration. Maybe you would like to hear what he thinks of whether these are trash.

Mr. POAGE. I wonder if you would explain to us these exhibits and let us understand them. Some of it looks to me like wild mustard seed. I do not know what some of the others are.

Mr. WILKENS. The little black seeds are mustard, and the round ones and the little triangular ones are common buckwheat—wild buckwheat, more than likely. There are two foxtails, yellow foxtail and white foxtail—I have forgotten the names of the two. Those make up the bulk of these weed seeds.

Mr. POAGE. You do understand that a large part are weed seeds?

Mr. WILKENS. No question about it. The point that we make is that these products which are handled through the market that we are talking about here are then ground or heat treated as these samples before you show. It is our contention that this does not contribute to the weed seed problem in North Dakota or in South Dakota.

Mr. POAGE. I understand you to say then that these seeds will not germinate?

Mr. WILKENS. That is right. I am, certainly, not here to say that absolutely every seed has been killed in that product. I would not want to say that. Maybe research will prove that. Maybe Mr. Davidson has made some tests on these products. I do not know. But you can see for yourself the fineness of the grind and the likelihood of germination of those seeds.

Mr. POAGE. It seems to me that you must give some consideration to the relative danger in this. For example, we can buy cattle cheaper in the Argentine than you can in the State of Iowa or the State of Texas, but we are afraid they would have hoof and mouth disease. They do have hoof and mouth disease in the Argentine and we have for a long time kept their cattle out. Yet we know the chances of getting hoof and mouth disease is rather remote.

I do not see any difference from the standpoint of agriculture as to seeds. It depreciates the value of our products. It increases the cost of our production. Should we lower our restrictions on animal feeds and raise our restrictions on the animals themselves? It seems to me that if we are going to be consistent we have to do one or the other. I do not see how we can justify certain things we have otherwise.

Mr. WILKENS. We are not contributing any danger. Mr. Fudali says that he would like to make a comment on that.

Mr. FUDALI. I would like to answer that question. Back in 1951 we did quite a lot of research with the American feed control officials in trying to determine what would be the type of grind which would be satisfactory under which these ground products could be shipped into the States. We have arrived at a standard which we have been following. We are just as diligent about weed control in this country as anyone else. We know there is a weed problem. So we do not feel that we contribute to it. As a matter of fact, we feel we are actually practicing weed control by killing a lot of these weeds.

You may remember that a lot of these screenings that we grind are not entirely Canadian screenings. We grind just as many domestic screenings as we do Canadian screenings. And these screenings that we grind originate in the Dakotas, primarily; also, in Minnesota. We help to kill those weeds just as well by grinding them to a point where the viability of the weed is so slight as to be inconsequential.

All of the States into which we ship the ground product, which

consists of the nearby States—I would say seven or eight States besides Minnesota—not into North Dakota or South Dakota, mind you, where the biggest complaint on weeds is—we do not ship screenings there. Why? Because they have their own weed seed. As a matter of fact, the germination of weeds there is primarily by truck. I think the people who are complaining about weed seed dissemination, primarily, in the Dakotas, can definitely point their finger at who is doing it. It is primarily the itinerant trucks who are driving on the rural roads and dropping it and having it blow off; that is, these weed seeds, all over the countryside.

Mr. POAGE. Do you not bring them in by truck?

Mr. FUDALI. Not a pound.

Mr. POAGE. Is there not a law against it?

Mr. FUDALI. Not that I know of. We handle it in carlots.

Mr. POAGE. Why do you not bring them in trucks?

Mr. FUDALI. As I said, we are very diligent as to weed control. We want to handle them the way that they can best suit disposing of weeds. That is why we grind them. In the 36 years we have shipped these screenings to the States, I know not of one instance where we have had a complaint made by a feed manufacturer.

Mr. POAGE. The grinding does not kill the weed seed. Heat treatment might, but grinding surely does not kill all the weed seed.

Mr. FUDALI. There is less than 1 percent of viable weed seeds in that grind. That is being constantly checked and tested.

Mr. POAGE. They are not killed by grinding, the Department says.

Mr. FUDALI. Yes—the viability is killed by grinding. The American feed control officials say so.

Mr. POAGE. A great many of these seeds before us are intact.

Mr. WILKENS. The bag is the ground material.

Mr. FUDALI. That other is not the ground material.

Mr. JENNINGS. Could not these screenings be shipped in the complete whole wheat that is coming in from Canada? Is it necessary that wheat or other grain be screened before it can be brought into the United States?

Mr. FUDALI. From Canada?

Mr. JENNINGS. Yes.

Mr. FUDALI. On wheat?

Mr. JENNINGS. Yes. If we buy the wheat and bring it into the United States, could we not do the screening in the United States, or do we?

Mr. FUDALI. Could we?

Mr. JENNINGS. Yes.

Mr. FUDALI. I do not know much about the importing of wheat, sir. We do not import any wheat.

Mr. JENNINGS. Who could answer that question, someone from the Department?

Mr. DAVIDSON. There would be no restriction on the importation of wheat under those circumstances except as provided for within the quota.

Mr. JENNINGS. If it is quota wheat we can bring the wheat in with all of this screening and so forth and then take it out.

Mr. DAVIDSON. That is possible.

Mr. JENNINGS. There is nothing in the bill before us that would prevent that—just merely the screenings.

Mr. DAVIDSON. That is correct. I think there is one more thing that may be added here. I was doing a little tabulating, and I find that the price per ton on screenings that have come in during the 2 years is $6. These gentlemen are talking about something at a higher price. I think they recognize that price depends on what it consists of. This bill has a definition of screenings which is confined to those materials which contain not more than 25 percent of agricultural or vegetable feed. So if we have something offered for importation which may have been removed from grain, and, therefore, may fit into the broad general definition of the word "screenings" it would still not be screenings under this statute and would not be restricted by this statute.

Mr. JENNINGS. Then using Mr. Poage's vernacular we can bring hoof-and-mouth disease in as long as we bring it in on the horn, but if we bring it in on the foot we cannot do it. You can bring this same material in under this law, if we pass it, exactly this material, providing you bring it in under some other category other than screenings. You can bring it in in the full grain, so long as that grain is within the quota. But if they take it out up in Canada they cannot bring it in. If they leave it in the wheat, they can ship it, is that not correct?

Mr. DAVIDSON. I would have to say that is not correct, because as screenings you have there a concentration of the offal removal from the grain.

Mr. JENNINGS. Yes.

Mr. DAVIDSON. If it is left in the grain, of course, these percentages of weed seed and chaff, and so forth, are very small by comparison.

Mr. JENNINGS. So it could be brought in, because it is small in comparison?

Mr. DAVIDSON. As a part of the grain, that is quite right,sir.

Mr. SHORT. Could I ask one more question to clarify this a little bit further? Is it not the practice—I think that we all know it is not the common practice in this country—in Canada to very meticulously clean all of the grain that is exported? Is that not the reason they have these surplus screenings in Canada?

Mr. BREEDING. If this is true, then this product is considered by Canada as what Mr. Harvey said, "junk and no good."

Mr. WALSH. That would be considered dockage—they would have to make a percentage allowance off the price to compensate.

Mr. BREEDING. Why do they not permit its return into Canada? One witness testified that you cannot return it to Canada.

Mr. WALSH. When they are allowing dockage they are giving it away. When they take it out they can get something for it. You see, if——

Mr. BREEDING. They do not really give it away—it becomes a part of their product, isn't this true?

Mr. WALSH. It is extracted, that is, subtracted from the total invoice. Excuse the interruption, but it is subtracted from the total weight of the cargo or the carload, whatever it might be, before the bushel computation is made.

Mr. HARVEY. You say the same screenings are worth $21 a ton. What price would they bring up in Canada?

Mr. WALSH. About $13 a ton, sir. And you have to pay the freight and duty.

Mr. HARVEY. How much does it cost to process these screenings per ton?

Mr. FUDALI. $5½ to $6 per ton.

Mr. HARVEY. What do you get for them?

Mr. FUDALI. $5½ to $6 over our cost price.

Mr. HARVEY. You have a profit, I assume.

Mr. FUDALI. You are asking about the actual cost. What we add onto it, I would say that, depending on the plant processing it—in our particular case I would say that it costs us, roughly, $4 to $4½ to process them, and we get $5½ to $6, depending upon the demand.

Mr. HARVEY. You get $5½ to $6 as a profit?

Mr. FUDALI. Over the cost price, of the raw material.

Mr. HARVEY. And you are making?

Mr. FUDALI. A dollar.

Mr. HARVEY. Per ton?

Mr. FUDALI. That is correct.

Mr. HARVEY. That is your margin for processing?

Mr. FUDALI. Yes, that is correct.

Mr. HARVEY. These screenings?

Mr. FUDALI. That is right.

Mr. HARVEY. In other words, if they are worth $13 a ton in Canada and you pay $21 for them, who gets that spread?

Mr. FUDALI. It consists of express, duty, clearance and exchange and so on.

Mr. HARVEY. How much is the duty?

Mr. FUDALI. I believe it is 2½ percent ad valorem.

Mr. WILKENS. Two and one-half percent.

Mr. HARVEY. Ad valorem?

Mr. FUDALI. Yes.

Mr. POAGE. Are there any other questions?

Mr. WILKENS. The time is getting short, I know, but Mr. Martin who is the man who buys substantial quantities of these products and processes them—he creates them—is here, and I would like to have you hear what he has to say, because there were several questions in that area.

Mr. POAGE. Very well, we will be glad to hear you.

STATEMENT OF JAY MARTIN, PRESIDENT, LaCROSSE MILLING CO.

Mr. MARTIN. My name is Jay Martin, president of the LaCrosse Milling Co., Cochrane, Wis. I also operate six farms.

This bill affects me very seriously; in fact, if this bill is passed I am out of business.

My sole business is processing screenings of all types for other small millers who manufacture feeds.

I have an investment of $400,000 to $500,000 in my business. I buy screenings and material out of Minneapolis. And probably 20 percent of what I use comes from Canada. I process these materials and sell them to other small dealers who do not have the facilities to process them and to blend them and to make them fit their own needs.

Mr. JOHNSON. It requires a special type of feed mill. And the average feed dealer does not have a mill that will grind it fine enough?

Mr. MARTIN. No, he does not have the equipment to grind it. He does not have the equipment to blend. We buy all different kinds of screenings.

You asked a little while ago how we knew if one car was as good as the other. We do not. One car might be better than the other.

I have a laboratory in my plant. We test every car that comes in. We put them in separate bins. We blend it out with other material that we buy out of the Minneapolis market—screenings from Minnesota, North Dakota, and South Dakota or wherever they might come from.

You may say, "Why do you not buy all domestic screenings?"

And when we get to screenings there is a lot more domestic screenings and more domestic weed feeds than there are imported from Canada. I, as a small dealer, am not able to get hold of these screenings that are taken out of the grain in the United States. The minute they get a little bit shorter, why, the major grain companies immediately put this stuff right onto the table. They use it in their own manufacturing. They use it in their own feeds. And we sit out there and we do not get any.

Our protection is the screenings that we can get from Canada. In fact, that very thing is so serious now that I am spending about $150,000 putting up storage to try to store this material in the summer so that I will have it for my customers when it gets short in the winter. And I cannot get it.

Talking about the feeding value of screenings—and we have heard that depreciated quite a lot—I happen to have six farms. I feed quite a few beef cattle. I have fed cattle on Canadian screenings with 5 percent molasses and some vitamin A added. These screenings were ground and pelleted. These cattle were fed no hay, no silage, no corn, nothing but these pellets made of Canadian screenings. I was able to take 400-pound calves of choice grade and feed them out to weights of 1,100 to 1,200 pounds. And to ship them to South St. Paul and have them grade "choice" and some "prime" on the market. And the only feed that they received were these Canadian refuse screenings. I did that on a cost—well, I cannot say as to the cost, because I would rather put it in pounds, because the cost varies—I could do that on 9.2 pounds of feed per pound of gain which is getting pretty close to what you can do with corn and concentrates for which you will pay $80 or $90 a ton or even $100 a ton.

Also, I have taken the offal from this cattle lot, and because of distances involved I have spread all of the offal on maybe 40 acres of land. Twenty acres of that is corn land that I plow every year and the other 20 acres consists of an alfalfa field. We just put the offal on there. And, frankly, I have not noticed any weeds growing in that, that we would not normally have there.

I think we overemphasize these weed feeds, because we have huge volumes of this same product in the United States, but this does give us small people a chance to have a source of supply where we can stay in business. We are not dependent on getting it from some company that the minute it begins to get in short supply we just do not get any more. They just trade it back and forth, I mean, when a large grain company that is also in the feed business, goes to a large malter, they sell him 50 carloads of barley, and from that 50 carloads there will be five carloads of screenings coming back—they make a

deal right there—they get the five carloads of screenings back. I cannot buy a pound of it.

I think this bill would affect the dairy farmer a lot in our community. The dairy farmer needs help right now. Milk support has been lowered. I think it is a great help to him to be able to buy a feed that may be $10 or $15 a ton cheaper.

Mr. WILKENS. We thank you for the opportunity to present your point of view. Unless there are further questions we have nothing more to add.

Mr. TOSSETT. I thought you touched very lightly on a subject that had not been discussed up to this moment, when you talked about livestock.

There has been research carried on as to certain diseases. There are any number of viable black rust spores and other diseases that are cleaned out of grain that could very easily come over in these imported screenings.

Mr. JENNINGS. That would come in, with full wheat and not only in the screenings. If we imported wheat with the screenings before it has been cleaned, you would bring the same thing in as you would bring in if you just brought in the screenings, separately.

Mr. TOSSETT. To the extent that 800,000 bushels of wheat per year comes in which is the quota from Canada, which is considerably different than that many tons of this that are being brought in here.

Mr. JENNINGS. Let me ask this question, Is there any different type of wheat that is coming in from Canada with foreign material that we do not have just across the border in North Dakota?

Mr. TOSSETT. I do not suppose there is, except that you have volume there.

I would like to point this out and then I will finish. This is from a release of an expert where it states that 2,260,000 pig weed seeds per pound are contained therein, and there can be 6,496,000 weed seeds.

Mr. JENNINGS. Is that good feed?

Mr. TOSSETT. That is what we are talking about here.

Mr. JENNINGS. Is it good feed?

Mr. TOSSETT. Not in my opinion. It is really expensive feed, that is pretty expensive feed.

Mr. POAGE. The committee will consider this. Thank you very much, gentlemen. Without objection, there will be included in the record at this point a telegram submitted by Mr. Johnson of Wisconsin, and a telegram submitted by Mr. Short of North Dakota.

(The telegrams follow:)

NEW RICHMOND, WIS., *May 9, 1962.*

Congressman LESTER JOHNSON,:
House of Representatives, Washington, D.C.

We use thousands of tons of Canadian refuse screenings each year for the production of inexpensive dairy and cattle feed rations. These screenings are ground so fine there is little danger of live seeds and are not a weed-spreading hazard. We hope you will vote against H.R. 5546 designed to cut off Canadian importations of this material.

EDWIN J. CASHMAN,
Doughboy Industries, Inc.

WEST FARGO, N. DAK., *May 9, 1962.*

Congressman DON SHORT,
House Office Building, Washington, D.C.:

Strongly protest passage of House bill H.R. 5546 preventing importing of Canadian screenings. Bill would not accomplish what sponsors intend. It would adversely affect our Canadian trade relations.

HOWARD EMERSON,
Goldena Mills, Inc., West Fargo, N. Dak.

Mr. POAGE. We will ask our visitors to retire. The committee will go into executive session.

(Whereupon, at 12:05 p.m., the committee proceeded into executive session.)