



AGRIBUSINESS ASSOCIATION OF IOWA

TAKE FIVE

A five-minute summary of industry activities for members of the largest state agribusiness association in the nation.

April 7, 2010

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WHO-TV 13 and AAI are Working Together to Increase Agribusiness News Across the State

The Agribusiness Association of Iowa exists to advocate, communicate and educate on behalf of the professional agribusiness industry. The education component of AAI's mission statement is two-fold; inform our members of the latest regulations and industry happenings, and educate the public about the importance of Iowa's agriculture industry and clear their misconceptions. Reaching out the general public has proved to be a very difficult task, which is why AAI is very excited to announce an unprecedented opportunity.

The Agribusiness Association of Iowa is now producing two daily, three minute Agribusiness Report segments that air on WHO-TV 13. The report will cover markets, market analysis, agribusiness news, etc. and is anchored by Ken Root. The Iowa AgriBusiness reports air at 5:50 a.m. during Today in Iowa and at 12:50 p.m. during the Channel 13 News at Noon. The daily reports and additional agribusiness news can also be found on TV-13's website at: www.whotv.com/news/agriculture/.

"This isn't news just for farmers," explains WHO-DT President and General Manager Dale R. Woods. "This will be information that impacts a significant and important sector of Iowa's economy with

tentacles to many others. We are fortunate to have the incredible agricultural and broadcast experience of Ken Root to condense and make sense from the volume of information."

"This is an unprecedented opportunity for Iowa agriculture," said Mark Reisinger, AAI CEO. "Not only do we have the opportunity to inform the ag industry as a whole, but we also have the ability to clear misconceptions held by the general public."

Through the daily show, WHO-TV 13's DTV channel and their website, this new endeavor has the ability to reach people in Central Iowa, across the state and nation.

Critical analysis and feedback is important to tailor the TV segments to Iowa's agribusiness audience. Please email Ken Root (ken.root@agribiz.org) or Laura Sinnwell (laura@agribiz.org) with any input or programming ideas.

AAI also has the opportunity to place advertisers and sponsors following the Agribusiness Reports and on WHO-TV's website. If you would like additional information regarding advertising, please contact the AAI office at 515.262.8323 or email Laura Sinnwell at laura@agribiz.org.

Recent Court Ruling on Agricultural Supply Dealer Liens

The question of which comes first – the Ag Supply Dealer's Lien or the Bank's security interest – has recently been answered for the first time. According to a District Court Judge in Sioux County, a livestock feed sellers' lien trumps a bank's prior perfected security interest.

In the case, a bank loaned money to a hog producer for its operations and the bank held a perfected security interest in that producer's hogs and the proceeds of those hogs. After the bank perfected its security interest, the local elevator supplied feed for the hogs. The elevator filed a financing statement to perfect its agricultural supply dealer's lien within the required time period, but never sent the bank a certified request for financial information of the producer. When the hogs were sold, a dispute arose over as to whether the bank or the elevator had priority to the proceeds from the sale of the hogs. The bank claimed it had priority as it never received the certified request as required by one part of the statute. The elevator claimed it had priority because the statute gives it priority and another part of the

statute does not require the certified request to be sent.

The court reviewed the statute and determined there was a clear conflict between the two provisions. The court then held that the Ag Supply Dealer's lien takes priority over the bank's perfected security interest up to the amount of the unpaid feed bill according to a formula in the statute. The court rejected the bank's claim that a certified request was required and instead found that the Iowa Legislature intended to give preferential treatment to livestock feed sellers.

It must be noted that this ruling could be appealed, and that the same or similar issue is pending in cases in other Iowa District Courts. Other District Courts are not required to follow this decision. However, the ruling can be persuasive authority for another court that reviews a similar situation.

This article was submitted by attorneys Brian Rickert and Mike Blaser of the Brown Winick Law Firm in Des Moines. If you have any questions, please contact them at 515-242-2400.



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Spring Brings Increased Farm Equipment Movement on Roadways

As the spring planting season begins, the Iowa Department of Transportation (DOT) is urging motorists and farm vehicle operators to exercise caution during the movement of slow-moving equipment on Iowa's roadways.

Data for 2009 show a total of 215 crashes involved farm equipment (12 more than in 2008). Those crashes resulted in: six fatalities (one fewer than in 2008); 14 major injuries (down one from 2008); 54 minor injuries; and 44 people reported to have possible injuries. There were also 126 crashes that resulted only in property damage.

Tips for farm vehicle operators:

- Make your intentions known when you are turning by using signal lights or the appropriate hand signal in advance of the turn.
- Drive slow-moving vehicles in the right-hand lane as close to the edge of the roadway as safely possible. Traveling partially on the shoulder may cause motorists to risk passing in a dangerous situation.
- Avoid encouraging or signaling motorists to pass. Pull over where it is safe, and let the traffic go by.

EPA Announces new Restrictions on Pesticide Phosphine Fumigants

The U.S. Environmental Protection Agency is requiring new restrictions on aluminum and magnesium phosphide products to better protect people, especially children, from dangerous exposures. The new restrictions prohibit all uses of the products around residential areas, increase buffer zones for treatment around non-residential buildings that could be occupied by people or animals, and create more protective product labeling. These actions are part of Administrator Lisa P. Jackson's comprehensive effort to strengthen the agency's chemical management program and assure the safety of chemicals.

Aluminum and magnesium phosphide fumigants are used primarily

to control insects in stored grain and other agricultural commodities. They also are used to control burrowing rodents in outdoor agricultural and other non-domestic areas. The fumigants are restricted to use by specially trained pesticide applicators and in only narrow circumstances.

EPA is expediting approval of the new labels to reduce the potential for accidental poisonings. The primary manufacturer is voluntarily implementing the changes. EPA will apply these changes to all aluminum and magnesium phosphide products.

For more information about aluminum and magnesium phosphide: <http://www.epa.gov/oppsrrd1/reregistration/alphosphide/>.

Maranell Receives Award from Nebraska Soybean Association

Mike Maranell, Senior Vice President, Member and Corporate Relations, Ag Processing Inc (AGP), and Vice Chairman of the AAI Board of Directors, was named the 2009 "Promoter of the Year" by the Nebraska Soybean Association (NSA).

The association said that Maranell understands the importance of developing effective leaders to lead the

soybean and other ag industries.

The NSA "Promoter of the Year" award is presented annually to recognize and thank an individual who has shown outstanding leadership and given many hours of their time to the betterment of the soybean industry.

Upcoming AAI Committee Meetings & Events

- [AAI Board Meeting](#): April 15, 2010, 8:45 am - 3:00 pm, AAI Office, Des Moines, IA
- [Alternative Fuels Subcommittee Meeting](#): April 19, 2010, 10:00 am - 2:00 pm, AAI Office, Des Moines, IA
- [Grain Committee Meeting](#): May 4, 2010, 10:00 am - 2:00 pm, AAI Office, Des Moines, IA

For additional information and to view more upcoming events, go to the AAI website at www.agribiz.org for.

AAI Membership Value

AAI Foundation is Taking Applications for the Winton Etchen Scholarship

AAI is now taking applications for the Winton Etchen Scholarship. The primary goal of this program is to prepare Iowa youth for a career in agriculture. This scholarship program is designed to provide college financial assistance to a resident of Iowa who chooses to study agriculture. The AAI Foundation offers one \$1,000 scholarship to a full-time Iowa State University freshman studying agriculture.

The AAI Foundation provides scholarships to advance education and science in the field of agronomy and agribusiness management. The goal is to identify and recognize outstanding students who plan careers in agriculture and/or a related field. Students who are

legal residents of the State of Iowa or a dependant of an AAI member and who are freshman at Iowa State University enrolled in agriculture related curriculums are eligible to apply. Applicant must be sponsored by a member of the Agribusiness Association of Iowa.

If you are interested in applying for the scholarship please fill-out the application, or if you know of an ISU student who fits the qualifications please feel free to pass this information onto him/her. The scholarship application **MUST be postmarked by April 23, 2010**. Registration materials and additional information can be found on the AAI Foundation website at: <http://foundation.agribiz.org/scholarships>.