



RE: New Covid-19 Farm Worker Regulations

Date: June 1, 2020

Dear Governor Inslee,

This correspondence is from the Yakima County Farm Bureau (YCFB). YCFB is a grass roots organization with 3,100 members consisting of farmers and ranchers with operations both large and small as well as other folks with interest in agriculture affairs in Yakima and Klickitat Counties.

I am writing to you about a most distressing miscarriage of rule-making that your administration has foisted upon our honest, hard-working and caring Farmers and Ranchers. What is even worse, it comes at an unprecedented time when our agricultural sector is already under great stress due to Covid-19. Crop and Commodity prices are in peril and we do not know what tomorrow will bring as to when things get back to normal.

**But we now know one thing with certainty from your actions in this matter: Your administration does not give one iota whether we succeed or fail!**

The YCFB asks: What will happen to the votes you get from the one percent of ag labor that is organized compared to the loss of votes when the consumers of our great State find out you have sold them out by destabilizing or even outright eliminating our ability to legally produce the wholesome food and fiber our State's citizens deserve?

There simply is no magic potion that can make the additional washing stations about to be required to instantly appear out of thin air **NOR** the money required to buy or rent that much expensive equipment even if the additional equipment actually existed. [Ironically, the 110 yard requirement violates current food safety regulations.](#) Those regulations require that washing stations can not be situated within harvestable crops. The unprecedented water temperature requirement of this ill-advised rule is also an untenable requirement.

The washing station requirements are but one issue our members have with these rules as there is nothing in the nine pages of edict that make sense or are possible to implement.

Furthermore, if this rule had been logical and had basis in fact for a need, your administration would have followed the LAW and had this new rule scrutinized through a public process first.

You received a drubbing at the last airing of rules when a flood of agriculturalists responded. So *this time you took the easy way out and just ..... Rammed it through!*

So beginning on June 4<sup>th</sup>, an AG employer of even just a few workers has the option of shutting their operation down or breaking the law (risking severe fines) plus risk being subjected to third party lawsuits thus creating the gift of a lifetime for the Washington State Trial Lawyers.

In a recent news conference announcing this latest action, you referenced a grapefruit. I beg to differ and since you spent a number of years in the Yakima Valley, first in a private law practice, later as a two term State Representative and then one term in Congress representing our area, you since seem to have forgotten your roots, I feel the need to inform you ..... Grapefruit is not from around here – not from Yakima and not from Washington State. Furthermore, since that was not apparent I feel the need to reacquaint you to some other facts about your previous homeland:

*Yakima County is the number one agricultural County in the State. We have arguably the most diverse list of crops, probably in the Northwest and perhaps in the NATION!. This latest rule hits our County agriculture exceedingly hard.*

Our County FB is also most distressed by the way you treated our State FB staff. First you use them to dispense the hand sanitizer your administration sat on for weeks only to stab them and by extension us ... agriculture.... in the back by totally ignoring their pleas for sensibility. You then hold the “Grapefruit” presser without the WSFB’s presence ..... because they were busy handing out that sanitizer up in Skagit County on that very day! The YCFB urges you to take a different approach. Freeze the implementation of this rule and step back to common sense. Work with the WSFB, don’t ignore or misuse them.

Further, don’t sell agriculture down the drain for a few votes from a fragment of the ag labor sector and favor from the Trial Lawyers but force ranchers and farmers to lose their lifelong achievements through either mothballing their operations or receiving draconian fines and being decimated by third party lawsuits.

One last suggestion: You should hope that where grapefruit is **actually grown**, that their State does not implement the same insane rules your administration just did or you had better savor the one in your discussion because there will be a very distinct shortage of them very soon, just like the crops that will no longer be grown in Washington under these impossible new rules.

Sincerely

Mark Herke, President, Yakima County Farm Bureau

