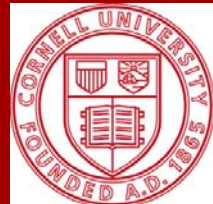




# FRUIT NOTES

## Lake Ontario Fruit Program



Volume 13 Issue 19

September 5, 2013

### Labor Regulation Compliance with Seasonal Employees

A. De Marree

There is much confusion as to which forms new farm employees must receive and which forms must be kept on file. NYS forms for use by agricultural employers may be found at:

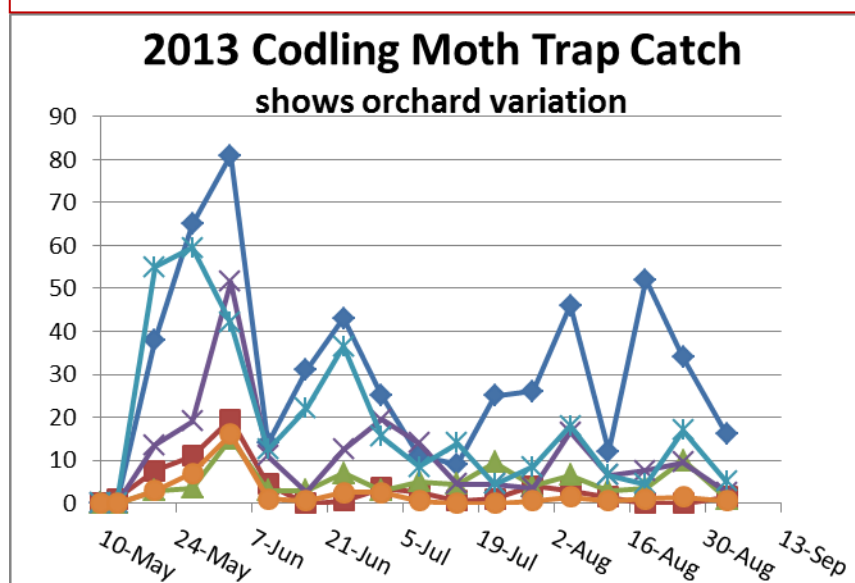
[www.labor.ny.gov/immigrants/agriculture-labor-program/services-for-agriculture-employers.shtm](http://www.labor.ny.gov/immigrants/agriculture-labor-program/services-for-agriculture-employers.shtm)

Here is a listing of paperwork to complete when you hire harvest help this fall;

#### **Domestic workers:**

1. New I-9 form released late this spring- worker fills out front **on first day** of employment, employer fills out back of form within 3 days – keep in your files.
2. NYS LS309 or version of LS309 in employees native language on first day of employment – employee signs & gets copy, you retain signed original in your files up to 7 years. This form replaces the old NYS work agreement for farm workers.
3. IF, H-2A workers are present on farm & doing same work as domestic workers, domestic workers must also receive a copy of the work order (ETA 790). Domestic workers doing the same work as H-2A workers must also be paid the adverse effect wage rate of \$10.91 per hour or \$.90 per bu. fresh standard, \$.85 per bu. fresh dwarf and \$.60 per bu. for process and or drops – whichever rate (hour or piece) pays the worker more.
4. Domestic employees must also complete a W-4 & NYS IT-2104 to direct you on filing status and number of exemptions for income tax withholding purposes. Keep these forms on file until employee asks to file a new form.
5. Federal Form WH516 Employment Terms & Conditions of Employment for agricultural employees of farms subject to

Chart from “Pest Report” Article on page 4.



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#### *Building Strong and Vibrant New York Communities*

Cornell Cooperative Extension provides equal program and employment opportunities. NYS College of Agriculture and Life Sciences, NYS College of Human Ecology, and NYS College of Veterinary Medicine at Cornell University, Cooperative Extension associations, county governing bodies, and U.S. Department of Agriculture, cooperating.

Every effort has been made to provide correct, complete, and up-to-date pesticide recommendations. Nevertheless, changes in pesticide regulations occur constantly, and human errors are still possible. These recommendations are not a substitute for pesticide labeling. Please read the label before applying any pesticide.

MSWPA. The form is optional, but the information must be provided in writing

6. Federal Form WH 521 for growers under MSWPA: Housing Terms & Conditions either must be posted or given to employees that you are providing housing.

#### **H-2A workers:**

1. New I-9 form mentioned above. In order to complete this form, you must download a copy of the employees I-94 from the Customs & Border Patrol website: [www.cbp.gov/I94](http://www.cbp.gov/I94)  
You will need the employee's name, date of birth and passport number to access his or her I-94 number, as well as the date the passport was stamped when the person entered the US this year.

when a worker is recruited for employment.

2. NYS AL 790.1 (Supplement to ETA790) replaces the NYS 309 for H-2A workers only – it is actually easier to complete! Retain the original signed form in your file & give a copy to the H-2A worker.
3. All H-2A workers should have received a copy of the work order (ETA 790) upon recruitment – have each person sign a statement acknowledging receipt of the work order.
4. Form W-4 if they wish to have federal taxes withheld from their paychecks. The standard exemption for a single filer is \$6,100. Withholding federal incomes is probably a good idea if their earnings will approach the \$6,100 or if eligible to claim dependents.

## **Excerpts from WNY & ENY Harvest Maturity Reports**

Craig Kahlke & Mike Fargione

**Overall Maturity Issues:** We still seem to be right on target for a “normal” harvest maturity window, at least for the early varieties. So dig up your records of harvest dates for varieties on your farms- a good starting point would be to average the dates from the years before 2007. We've not had a “normal” year since before then!

**Variation between individual blocks and orchards always occur.** Because of this inherent variation, the average maturity index readings of several grower blocks (as developed by the regional testing program) has often provided a better guide to harvest than readings from individual orchards. **BE SURE TO CONSULT WITH YOUR MARKETER – before harvesting the block.**

**Crop load effects maturity.** Trees with lighter crop loads, along with stressed trees (i.e. drought and frost damage/loss) and very young trees usually mature earlier. Maturity is usually delayed in trees carrying a larger crop.

**Gala- There has been notable advances in maturity over the past several days. Some blocks of higher-coloring and earlier-maturing strains of Gala are now entering the harvest window for first spot pick. Please examine your Galas closely and decide if they warrant picking.** In addition, young blocks, blocks with a light crop load, and blocks which contained stressed trees may also be ready for first pick.

In concert with acceptable flavor, Gala for long-term CA storage should be picked when the background color is changing from light green to cream. Fruit intended for short term CA or regular storage should be picked with cream to light yellow background. Expect to pick 'Gala' at least 2-3 times. Fruit that are bright yellow are over-mature and should not be put in storage-i.e. market those immediately. As your block gets close to first pick, **check blocks every two to three days** for color and varietal flavor development.

**Honeycrisp:** There is no recommended starch index value for judging 'Honeycrisp' maturity. Harvest when color changes (fruit get bright

appearance) and varietal flavor develops. Spot picking is essential for this cultivar.

Honeycrisp is susceptible to soft scald and soggy breakdown. The correct storage temperature is 38F, and we recommend a delay of 7 days at around 50F before cold storage. If fruit have high bitter pit risk, however, the delay treatment will aggravate the risk of bitter pit development. It may be better to cool these fruit immediately after harvest and market them quickly.

Consider using SmartFresh on air-stored 'Honeycrisp' to delay greasiness and retain acid flavor components.

**McIntosh:** Suggested CA maturity guidelines: starch index = 5-6; internal firmness > 15 lbs.

**Reminders:** Please follow recommended maturity indices for each variety in addition to consulting with your marketer. Make sure there is adequate varietal flavor prior to harvest. **While I realize inventories are very low and the large demand for fresh apples have marketers screaming for fruit, picking under-mature fruit will only kill repeat sales.**

## Approximate\* Harvest Dates for WNY

A. DeMarree

Relative WNY Date	Variety	Relative WNY Date	Variety	Relative WNY Date	Variety
mid Aug	Paula Red	9/20 - 25	Cortland	10/15	Northern Spy
8/23 - 9/6	GingerGold	9/25 - 28	Acey Mac	10/15-20	Golden Delicious
8/23 - 9/3	Sansa	10/1-5	Macoun	10/15-20	Law Rome
8/23 - 9/3	Zestar	10/1 - 10	Twenty Ounce	10/15 -20?	NY 2 - Ruby Frost
9/5 - 9/8	Minneiska	9/28- 10/5	Empire	10/18 - 25	Rome
9/8-10	Marshall Mac	10/4 - 7	Pinova	10/18-30	Idared
9/8-10	Autumn Crisp	10/7 - 12	Ambrosia	10/25 - 30	Fuji
9/15 -20	Honeycrisp	10/ 8 - 14	Jonagold	10/25 - 30	Cameo
9/16 - 22	McIntosh	10/8 - 12	Shizuka	10/28 - 31	Stayman
9/15 -20	Gala	10/8 -15	Topaz	11/1 - 5	Braeburn
9/17 - 22	McIntosh	10/10 -15	Red Delicious	11/1 - 5	Goldrush
9/20 - 25	CrimsonCrisp	10/10 -18	Crispin	11/1 - 5	Granny Smith
9/20 - 28	NY 1 - Snapdragon	10/15	Fortune	11/ 5 -10	Pink Lady

\*Dependent upon season, site micro-climate, crop load, tree age and stress level.

## Harvest Priority Plan

A. De Marree

We are expecting a large crop this year, as is Michigan. As apples size the crop may get larger, putting pressure on the available number of bins, storage space and time to get apples harvested at optimum maturity for storage. We could also experience pressure in terms of labor

– the number of available pickers may not match up to crop size for every apple variety on your farm. Making an advance plan for getting the most valuable apples harvested on time could maximize your income this year and lessen stress for everyone in your business.

It is important to get out into the orchard NOW to identify which apples have problems (summer scab, under size, defects, poor color) and which apples are likely to be your most valuable apples. The goal is to harvest the most valuable apples at a maturity optimum for their intended market time (fall, short term CA & long term CA). Ideally, you, the grower will begin to identify the best market plan for each block of apples with your marketer. Every year has its own challenges (light or heavy crop, stressed trees, sunburn, etc.) in the manner in which apples mature. Subscribe to the Harvest Maturity Report and begin monitoring varieties such as Gala, Honeycrisp and McIntosh every 2-3 days for changes in maturity. The use of Retain will allow apples more time to size, but will also delay color development. Internal browning has become more of a problem with Gala in recent years, so be careful not to attempt to keep the apple on the tree too long!

I expect that there could be downward price pressure on drop juice apples and small fresh

apples that will end up in the bag market. Consider leaving less valuable apples in the orchard if necessary in order to get your most valuable apples picked on time for optimum quality.

If you know that you are likely to pay income taxes this year (due to a crop insurance indemnity payment and high apple prices this spring) consider renting or leasing additional equipment such as forklifts, tractors, bin trailers and bins to improve your ability to get this crop harvested in a timely manner. Also, hire enough quality control checkers to keep bruising and apples not meeting high quality standards OUT of the bin. Treating (with 1-MCP) and storing apples destined for the juice market in fresh apple bins is often a losing proposition on big crop years. Please keep juice apples out of the fresh apple bins during harvest!

Best wishes for a stress free harvest!

## Pest Report

D. Breth

**Codling moth** counts were higher on Aug 26 than trap counts on Sept 3. So the nice weather and mild evenings were conducive for more CM mating and egg laying and the egg hatch could occur in about 220-250 DD after the high count. Although trap counts may be low now, check the previous week's counts for your orchard and realize the eggs from that flight will hatch by the end of this week and continue for another week. In orchards where trap counts have maintained levels of 10-20 per week, that is a serious situation and fruit damage from codling moth is likely! In these orchards, insecticide residues must be maintained on a 2 week interval to prevent late fruit infestation in varieties harvested after McIntosh. For

those orchards with low trap counts, and generally low all season, you can likely be finished with insecticide sprays for the season in apples.

**Oriental fruit moth** trap counts are generally low. In orchards with mixed populations of internal worms, OFM trap counts approached 100 per trap in high pressure sites. Maintain insecticide residues through September in these high pressure sites.

**Insecticide options for CM and OFM in apples** include Altacor (5 day PHI), Assail (7 day PHI), Belt (14 day PHI), Calypso (30 day PHI), Delegate (7 day PHI), or Voliam Xpress (21 days PHI). In peaches for OFM, you can use Altacor (10 day PHI), Assail (7 day PHI),

Delegate (1 day PHI), Belt (7 day PHI) or Voliam Xpress (14 day PHI). Pyrethroids and OP's are effective for OFM control especially in peaches but watch the PHI. Pyrethroids and OP's (unless used at highest label rate) but may be less suitable for codling moth in apples because of locally resistant populations. Good spray coverage is essential this time of year for codling moth and oriental fruit moth and diseases.

**Bartlett pears** have been picked and if you have historical worm infestation in Bosc pears (CM or oriental fruit moth, but sometimes lesser apple worm), protect the Bosc for their late harvest.

**Brown marmorated stink bugs (BMSB)** are showing up in traps in western NY in low numbers, like 1 per week around storages with a lot of truck traffic. But the numbers we are seeing are not expected to result in

serious fruit damage. But BMSB in eastern NY are causing fruit damage.

**Spotted wing Drosophila** is assumed to be everywhere now to threaten any berry or stone fruit crops yet to be harvested. Check Fruit Notes, Issue 18 for the list of insecticides used to protect various crops.

**Brown rot** on stone fruit is still challenging fruit quality for varieties that will be harvested yet in September. Fungicide classes need to be rotated to prevent fungicide resistance. Indar (0 day PHI), Quash (14 day PHI), Tebuzol are all DMI's and must be limited in number of applications and the PHI listed on the label. Pristine, a strobilurine, is very effective on brown rot. Captan is not as effective under high disease pressure (warm, wet weather) but has a 0 day PHI.

## CleanSweepNY Fall 2013

Plans are currently underway for a CleanSweepNY collection which will take place during the week of October 21, 2013. The targeted area will be within NYSDEC's Region 8. This region is made up of Chemung, Genesee, Livingston, Monroe, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne and Yates Counties.

CleanSweepNY is an Environmental Benefit Project which was initiated by the New York State Department of Environmental Conservation's Bureau of Pesticide Management and it describes in one word an effort to safely and economically dispose of canceled, unwanted, unusable, or otherwise obsolete pesticides and other chemicals from agricultural or non-agricultural business

activities. CleanSweepNY also provides for the disposal of elemental mercury, mercury containing devices such as thermometers, manometers, etc. from schools and other entities.

*CleanSweepNY collection events do not target the general public since home and garden pesticides are accepted in Household Hazardous Waste (HHW) collections. Commercially applied or larger quantities of pesticides are usually excluded from local HHW collections. In New York State this fact has created a backlog of demand for safe, legal, and affordable disposal of obsolete pesticide products and other chemicals.*

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- Labor Regulation Compliance with Seasonal Employees
- Excerpts from WNY & ENY Harvest Maturity Reports
- Approximate \* Harvest Dates for WNY
- Harvest Priority Plan
- Pest Report
- Clean Sweep NY Fall 2013

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**Preregistration is necessary and registration packets will be mailed upon request to those wishing to participate. Registration forms can be requested by calling toll free at 877-793-3769 or by email at [info@cleansweepny.org](mailto:info@cleansweepny.org).**

**Registration deadline for holders of unknown materials or gas cylinders is September 30, 2013.** In order to expedite the disposal of compressed gas cylinders, CleanSweepNY must have prior notification regarding the size and contents of your gas cylinders. The absence of this prior notification may result in the inability to accept them for disposal.

**Registration deadline for all others is October 11, 2013.** Registrations forms **must be received** by the dates noted in each case.

Due to the low number of metal pesticide containers being turned in and due to the added cost for providing this service, CleanSweepNY will no longer collect for recycling any metal pesticide containers or drums. We apologize for any inconvenience this may bring. This fall collection will be the 15<sup>th</sup> CleanSweepNY collection event since the program's inception and we look forward to providing these valuable chemical waste disposal services to those such as New York State farmers, certified pesticide applicators, landscapers, school laboratories and others.

Details regarding the collection dates and locations will be posted on the CleanSweepNY website at: <http://www.cleansweepny.org/> once the information becomes finalized.