



## Logger Survey: Is Logging an Agricultural Activity? We Want Your Feedback



For years the Agriculture sector has enjoyed various Acts passed in Congress which have helped to bring some semblance of stability to their industry. While there are many inferences to the timber harvesting community in many of these Acts, there is no explicit support for the timber harvesting industry as a whole. We have a valid argument that timber harvesting and logging activities are already recognized in many statutes on a comparative basis with Agriculture, as well as our classification in the North American Industrial Classification System (NAICS) Code 1133 which falls under agriculture. This code recognizes the industry as being an agricultural crop producer, and the exemptions and the benefits that the agricultural community currently receives should be extended to the logging industry as well.

A few of the Bills where there could be potential benefit for the industry if clarification as to logging being an agricultural industry include:

- 1. The Agricultural Marketing Act of June 15, 1929.** This Act established a Federal Farm Board to promote the effective merchandising of agricultural commodities in interstate and foreign commerce, and to place agriculture on a basis of economic equality with other industries. The Act encouraged the organization of producers into effective associations and corporations under their own control for greater unity in effort in marketing and by promoting the establishment of producer-owned and producer-controlled cooperative associations and other agencies. Section 15(a) states: "As used in this Act the term "cooperative association" means any association in which farmers act together in collectively processing, preparing for market, handling and/or marketing the farm products of persons so engaged and also means any association in which farmers act together in collectively purchasing, testing, grading, and/or processing their farm supplies...".
- 2. The Agricultural Marketing Act of 1946.** Section 207. "When used in this title, the term "agricultural products" includes agricultural, horticultural, viticultural, and dairy products, livestock, and poultry, bees, **forest products**, fish and shellfish, and any product thereof, including processed and manufactured products, and any and all products raised or produced on farms and any processed or manufactured products thereof."
- 3. Agricultural Fair Practices Act of 1967.** "An Act to prohibit unfair trade practices affecting producers of agricultural products and for other purposes." "Because agricultural products are produced by numerous individual farmers, the marketing and bargaining position of individual farmers will be adversely affected unless they are free to join together voluntarily in cooperative organizations as authorized by law. Interference with this right is contrary to the public interest and adversely affects the free and orderly flow of goods in interstate and foreign commerce. It is, therefore, declared to be policy of Congress and the purpose of this Act, to establish standards of fair practices required of handlers in their dealings in agricultural products."

The Act prohibits the following activities by the "handler":

- a. To coerce any producer in the exercise of his right to join and belong to or to refrain from joining or belonging to an association of producers, or to refuse to deal with any producer because of the exercise of his rights to join and belong to such an association.”
- b. “To discriminate against any producer with respect to price, quantity, quality, or other terms of purchase, acquisition, or other handling of agricultural products because of his membership in or contact with an association of producers or a contract with a handler.”
- c. “To coerce or intimidate any producer to enter into, maintain, breach, cancel, or terminate a membership agreement or marketing contract with an association of producers or a contract with a handler.”
- d. “To pay or loan money, give anything of value, or offer any other inducement or reward to a producer for refusing to or ceasing to belong to an association of producers.”
- e. “To make false reports about the finances, management, or activities of associations of producers or handlers.”
- f. “To conspire, combine, agree, or arrange with any person to do, or aid or abet the doing of, any act made unlawful by this Act.”

**Many lawmakers in Washington, DC are surprised to find out that the logging industry is not always considered a part of Agriculture in many of the statutes that exist today.** While several states have made it quite clear that logging is considered an agricultural activity and offered up many of same exemptions and exceptions that our friends in agricultural currently enjoy at the State level, **we are behind the curve in making our case at the national level.**

**We would like to hear back from you** on whether or not the American Loggers Council should actively pursue this issue, and of course we would welcome any comments or concerns that you might have as we move forward. [Please click to https://www.surveymonkey.com/r/CVGBH5W](https://www.surveymonkey.com/r/CVGBH5W) to vote in our online poll.

You can also feel free to contact us at 409-625-0206, e-mail at [americanlogger@aol.com](mailto:americanlogger@aol.com) (please include “logging as ag” in the subject line), write comments on our Facebook page (American Loggers Council), or mail us at ALC, PO Box 966, Hemphill, TX 75948. We look forward to hearing from you.

*Danny Dructor is the Executive Vice President for the American Loggers Council with offices near Hemphill, Texas. The American Loggers Council is a 501 (c)(6) not for profit trade organization representing professional timber harvesters in 32 states across the United States. If you would like to learn more about the ALC, please visit their web site at [www.amloggers.com](http://www.amloggers.com), or contact their office at 409-625-0206.*