



NY: Climate Goals for Growers?; A Strange Story Pitch; DR GH on AC




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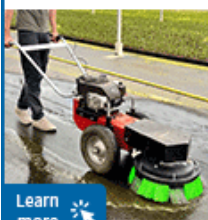
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# GrowerTalks' Acres Online

News and Commentary from GrowerTalks Magazine

## COMING UP THIS WEEK:

PPA Registration LAST DAY!  
NY: Cannabis climate goals  
H-2A: Court finds for states  
J&P Park now into brewing  
2025 IMF Guide is here!  
Bailey honors licensees  
Here's a strange story pitch  
Lawn fertilizer study  
GMG Trends Report out



## NEW FOR 2026



## First things first: Register for the Fall PPA Symposium quick-like!

You've got until TODAY! (September 10) to sign up for the Perennial Plant Association's Fall Perennial Plant Symposium being held September 20 at Dossin Great Lakes Museum in Detroit, Michigan. That's close enough for many of you to pop in for the day-long event of education and tours.



The education comes from three folks:

- Shannan Gibb Randall of Insite Design Studio will speak on "Great Plants, Beautiful Resilient Gardens"
- Bill Schneider from Wildtype Native Plants will speak on "Landscape Design with Maintenance in Mind"
- Richard Thomas & Meredith Simpson from Oudolf Garden Detroit will talk about "Exploring the Oudolf Plant Palette"

That's the morning. The afternoon will cover five tour stops: Oudolf Garden Detroit; Callahan/Detroit Bird City Park; Detroit Arboretum; Detroit Abloom; and William & Mary Stratton



House (for the private garden tour and afternoon social!).

Cost is \$149 for member/\$199 for non-members. But if you join PPA now, you get a 40% discount on your membership (use promo code fall40 during checkout).

Learn more and sign up [HERE](#).



## NY cannabis growers must meet state climate goals

This should worry New York greenhouse operators no matter what you grow ... and maybe worry everybody ...

The New York Office of Cannabis Management is requiring the state's cannabis growers to use a new tool called the PowerScore platform that tracks and reports their resource consumption. They tout the free tool as helping businesses "understand the relationship between their operating costs and yield ... potentially lower operating costs and *meet state environmental standards*." (I added the italics.) [This according to Spectrum Local News](#) in New York.

This reporting is mandatory, not optional. Cannabis licensees will be required to track and report their energy and water use and waste generation annually, with the first report due August 31, 2025.

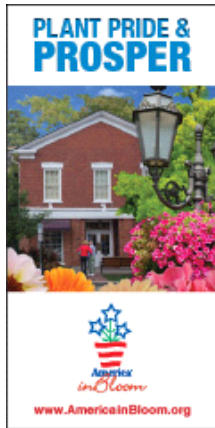
"Utilizing PowerScore for resource tracking is a pivotal step in aligning the legal cannabis industry with New York's climate goals," said Felicia A.B. Reid, acting executive director of the New York state Office of Cannabis Management. "This initiative represents a major advancement in building a more sustainable and resilient cannabis industry. By streamlining processes to limit environmental impact and removing historical economic barriers, we are not only saving licensees time and money, but also empowering them to focus on innovation and growth. Together, we are creating a national blueprint for a more sustainable cannabis future and a more profitable, efficient future for New York cannabis licensees."

My question is, what's to stop New York from requiring this of ALL greenhouse operators, regardless of what they grow? And retailers, too, if they operate a greenhouse that the state could view as a climate-change contributor.

Any NY greenhouse owners want to weigh in? Maybe you're safe and I don't know it. Email me [HERE](#).



## Important H-2A update: Court finds in favor of states



*This just in from our government reporter, Jen Zurko:*

Earlier this year, 17 states and two organizations filed suit against the Department of Labor over the final H-2A rule titled Improving Protections for Workers in Temporary Agricultural Employment in the United States (Final Rule). The Final Rule was set to go into effect on Thursday, August 29, 2024.

Right before the deadline, a federal court found that the Final Rule violates the National Labor Relations Act (NLRA) as it attempts to unconstitutionally create law, infringing upon Congressional authority. It also found that DOL's actions were not deemed in "accordance with law" as required by the APA. While the DOL may assist Congress, it may not become Congress. The Court found that DOL has attempted to create rights that Congress has not legislated, such as a right to collective bargaining for agricultural workers.

Further, the Final Rule would cause financial harm to both the plaintiff states and plaintiff organizations, including increased administrative costs for state workforce agencies and employers, as DOL anticipates that changes to the annual effective date of new Adverse Effect Wage Rates could cost farms nationwide between \$12 and \$20 million over the next 10 years. These findings align with the Eleventh Circuit's ruling that "unrecoverable monetary loss is an irreparable harm."

Based on these findings, the Court ruled that the Final Rule violates the NLRA as it attempts to unconstitutionally create law, infringing upon Congressional authority. The DOL's actions were not deemed in "accordance with law" as required by the APA. However, the Court decided not to grant a nationwide injunction and the injunction applies only to the plaintiffs.

Since the ruling, DOL has put forward a statement announcing the delay in the Transition Schedule for Implementing the H-2A Application and Job Order Associated with the 2024 Farmworker Protection Final Rule.

The Court's ruling now prevents DOL from enforcing the Farmworker Protection Rule in the states that filed the suit: Georgia, Kansas, South Carolina, Arkansas, Florida, Idaho, Indiana, Iowa, Louisiana, Missouri, Montana, Nebraska, North Dakota, Oklahoma, Tennessee, Texas and Virginia. Because of this injunction, DOL cannot enforce the Farmworker Protection Rule in the specified states and entities while the injunction is in place.

The FLAG (Foreign Language Application Gateway) system is not set up to identify and process applications differently based on which state the application originated. Consequently, the DOL has delayed updating the FLAG system (IN ALL STATES FOR THE TIME BEING) and will continue to process applications according to the previous forms.

"The Department of Labor's delay in implementing the H-2A Worker Protection Rule, prompted by the recent Georgia case decision, highlights the concerns regarding the rule's suitability and the perceived haste in its advancement," said Matt Mika, AmericanHort's VP of Advocacy & Government Affairs. "AmericanHort is committed to collaborating with the Department of Labor to develop an H-2A Rule and program that effectively serves current and prospective participants."

For AmericanHort members, the organization has developed FAQs to summarize the court ruling and what it means for those members who participate in the H-2A program. AmericanHort has also been working with outside legal counsel Lynn Jacquez and Shawn Packer of JPH Law Firm. AmericanHort will continue to follow developments on the H-2A Final Rule closely with guidance from their outside counsel to ensure members have the tools and resources needed to remain compliant with federal rules and regulations as they're issued.

(Reminder that AmericanHort premium members are eligible to receive initial legal opinions and compliance access to expert legal advice related to workforce issues from AmericanHort partner JPH Law. If you aren't a premium member and would like to become one, visit [AmericanHort.org](https://AmericanHort.org) to upgrade your membership.)



## *The Only Magazine* **GROWERS AND RETAILERS FLIP OVER.**

### **J&P Park, Inc. expands with purchase of home brew supplier**

This is for those of you who recognize either or both the “J&P” (Jackson & Perkins) or the “Park” (Park Seed) portion of the headline, two industry names I haven’t seen in a while.

Says the press release, “J&P Park, Inc., a prominent leader in gardening and hobby-based products, is pleased to announce its acquisition of Northern Brewer, a leader in the homebrewing industry. This acquisition represents a significant expansion for J&P Park, enhancing its commitment to serving the broader community of hobby enthusiasts.”

Did you know **J&P Park** was in the hobby enthusiast business? If I knew, I’d forgotten.

Anyway, Kelly Funk, President and CEO of J&P Park, Inc., said, “This acquisition allows us to extend our reach within the hobby enthusiast community, combining our lifestyle expertise with Northern Brewer’s excellence in homebrewing. Together, we will continue to inspire creativity and passion among our customers.”

As a recap of the J&P Park brands, they include Park Seed Company, Jackson & Perkins, Wayside Gardens and Van Dyke’s Restorers. And now Northern Brewer.

“We believe in the power of hobbies to enrich lives and are excited to support even more enthusiasts through this expansion,” said Kelly.

As a fellow with about a dozen hobbies, I wholeheartedly agree! Hobbies like gardening do enrich lives. I am not yet a brewer, but who knows ...?

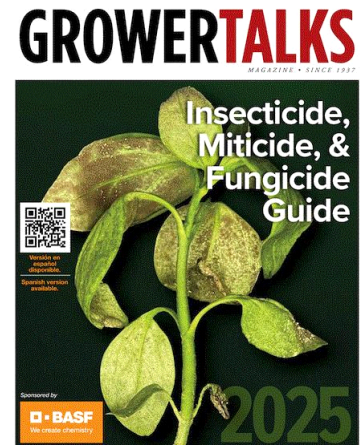


### **2025 Insecticide, Miticide & Fungicide Guide now available**

Don't waste time: [CLICK HERE](#) and you can download the hottest new *GrowerTalks* grower guide, fully updated for 2025. This comprehensive guide to insecticides, miticides and fungicides will arm you to combat the pests that are sure to attack your crops in coming seasons.

Read up on downy mildew before it devastates your crops, find tips on foliar disease preparation and see how leading growers are implementing sustainable practices in their IPM programs. You'll also find the latest info on preemergence herbicides, plus application techniques to optimize their efficacy.

A big thanks to BASF for sponsoring this guide, and for their continued partnership and efforts to help us produce this important supplement!



¡Oh, también está en camino una edición en español!

## Bailey honors brand licensees

When you work hard growing branded plants—maintaining quality standards week in and week out while promoting and selling like mad—it's nice to be recognized for your efforts (I mean, beyond the retailers who keep placing orders because gardeners keep buying your quality plants). So I commend [Bailey Nurseries](#) for honoring its brand licensee partners for their contributions to the Endless Summer, First Editions and Easy Elegance brands. And it's not just for good growing—these licensees work hard at trialing, trade show exhibits, social media and PR/marketing.

- Trial Grower of the Year: **Loma Vista Nursery**, Ottawa, Kansas
- Endless Summer Grower of the Year: **Baucom's Nursery**, Charlotte, North Carolina
- First Editions Grower of the Year: **Means Nursery**, Scappoose, Oregon
- Easy Elegance Grower of the Year: **Overdevest Nurseries**, Bridgeton, New Jersey



Representing three of the four recipients: Means, Loma Vista and Overdevest.

"There are many moving parts throughout the year, and we observe how our grower partners are representing our brands not just at retail, but also to their customers and end consumers," said Brand & Business Development Manager Layci Gragnani.

Congrats to all four!

## Here's a strange story pitch

We editors sift through a lot of chaff to bring you only the purest wholesome wheat. Here's one example—a story pitched to me by a PR firm for some mystery client:

*The 'Annabelle' hydrangea is a garden favorite for its showy, snowball-like blooms. But here's the catch: those beautiful flowers offer almost nothing to pollinators like bees and butterflies. In fact, by choosing plants like 'Annabelle,' we could be doing more harm than good to our local ecosystems. This article highlights the hidden downsides of popular plant choices and offers simple tips for creating gardens that are not only gorgeous, but also beneficial to wildlife. It's a fresh perspective every gardener should consider.*

At the end, the sender asked for my opinion. My curt reply? "You don't want my opinion."

You see, I was immediately bugged by the negative tone of the pitch. Annabelle bad. Gardeners harming ecosystems. Hidden downsides of popular plants. Good grief!

In my book, just about anything a gardener plants is better than planting nothing. An Annabelle Hydrangea never hurt a soul. They've housed more than a few birds, chipmunks and friendly frogs. And if the Internet tells me they don't contain as much nectar as native varieties, well, so what?

But, trying to always be at least a little bit open minded, I thought more on the topic. Perhaps I was being too hasty or missing some angle. So I decided to ask a retailer I know for her opinion. She's in Massachusetts, a state with its share of environmentally concerned gardeners, and she's probably faced their questions on the same sort of good plant/bad plant topic. "She" is my friend Tina Bemis, co-owner with her husband, Ed, of Bemis Farms Nursery in Spencer, west of



Worcester ("Woostah"). As I hoped she would, Tina had a good answer.

## Tina (continued)

Here is her take on the topic:

*As you know, there are always people on the fringes and extremes who pursue their passion with an all-or-nothing attitude. They may be "right," but I would rather appeal to the masses and get 99% of the people planting an imperfect garden with a few pollinators, than 1% of the people creating a perfect environment.*

*Ed [her husband] and I now host a radio program, and what I have learned is that you cannot force people to follow you; you can only create a vision that is worth following and hope that people do.*

*To that end, in my own personal yard, the front yard is filled with spectacular, showstopping color and I hand dig 95% of the dandelions in my small front lawn.*

*In my side garden, it's a little bit more relaxed, and I actually find more non-native honey bees on the non-native muscari than on the more relaxed approach to dandelions in the side lawn.*

*In the backyard, the dandelions are allowed to grow to such abundance that my lawn care maintenance guy is mad at me because he has to mow the lawn twice because they are so thick. I told him I would pay him twice to mow it, but that I was not putting down any weed control.*



*So that's what we preach. Not an all-or-nothing approach, which will alienate people who think that pollinator gardens and native plants look like a bunch of weeds. Ed likes to follow the mantra, "Leave a strip for the pollinators" (source unknown) with regards to lawns and not mowing just one single strip in a place of your choice.*

*Like politics, most of us fall in the moderate 80% of the population and 10% of each side are on*



*the fringes. And only a few of our 10% will actually do it.*

*This is an issue that does not have to be addressed with an all-or-nothing approach like some of the world's hot topics.*

*Lead by example.*

Thanks, Tina! I knew you'd help me find some middle ground on the topic.

Anyone else have an opinion on the devastating effects of planting Annabelle and other hybrid cultivars? Weigh in [HERE](#).

## **Lawn fertilizer study reveals consumer safety concerns**

**Axiom Marketing**—a Minneapolis-based marketing firm serving horticultural, agricultural and home improvement markets—has another one of their nifty consumer studies out, this time about lawn fertilizers. It reveals a lot about what consumers think of them—rightly or wrongly. For instance:

- 70% are concerned or highly concerned about lawn fertilizers polluting lakes, streams and rivers
- 61.5% are concerned about application of lawn fertilizers and pesticides in nearby parks, sports fields and golf courses
- 59.9% remember seeing lawn signs warning people and animals to stay off treated turf for 24 hours

When asked why they think what natural or organic fertilizers contain that make them safer:

- 51.1% cite plant and animal nutrient sources such as soybean meal
- 50.5% cite ingredients like those include in pet food and livestock feeds
- 43.7% cite natural mineral sources
- 60.5% prefer fertilizers made from pet/animal feed ingredients vs. 35.5% for manure-based ingredients vs. 4.2% for petrochemical ingredients



And yet, despite their concerns, homeowners are still hypocritical on the topic:

- Although 59.9% see lawn protection chemicals as harmful to the environment, pets and humans, 67% report applying fertilizers containing weed killers and insecticides
- 55.7% report typically applying herbicides and fungicides, and 44.7% apply insecticides to their lawns
- When asked why they don't use natural pesticides on their lawns, the top three answers included: Doesn't work (29.1%), Didn't do a good job (20.3%), and Cost-prohibitive (19%)

Personally, I think it all goes back to what Tina suggested earlier: It's not an all-or-nothing approach. Offer natural products for those who want them and traditional products for those who prefer that approach. And provide tools and education for safe, proper application. For instance, tell customers to NOT do like the editor-in-chief of *GrowerTalks*, turning his spreader up to 11, thinking more is better.

By the way, Independent/local garden centers ranked as the most credible source at 53.7%, followed by university/county extension agents at 43.5%.

To see and download the full study, click [HERE](#).

## 2025 Garden Trends Report available now

"Nature's Renaissance" is the theme of the latest [Garden Media Group Garden Trends Report](#), which launches TODAY (September 10). In it, they've identified eight trends for the green industry to take advantage of in the coming year. They are:

- Social Retreat
- "Grow" Your Own Way
- This Place Doesn't Exist
- Lived-In Gardens
- Living Fences
- Foraged
- Holy Moly
- Color of the Year

The unifying theme of these trends, Nature's Renaissance, "highlights the movement to reintegrate natural elements into our lives, landscapes and cities—bringing 'green' back into the picture," they say in the press release, adding, "This renaissance isn't just about returning to the roots; it's about planting new ones for the future."



"This renaissance isn't merely an aesthetic appeal—though more plants are certainly better—it's about a growing recognition of the vital need for green spaces everywhere," said Katie Dubow, president of [Garden Media Group](#). "Cities are increasingly adopting strategies that weave nature holistically into our daily existence."

Topics included in the free report include the decline of major social platforms and the increasing consumer preference for in-person community interactions. It also discusses the surge in artificial intelligence and shifts towards anti-reality.

By the way, this is GMG's 24th annual Garden Trends Report!

## **Dr. Greenhouse on ... air conditioning?**

When I got a press release about her latest podcast episode, "[5 Tips to Maximize Your Air Conditioning](#)," I first thought Dr. Nadia Sabeh ("[Dr. Greenhouse](#)") was talking about air conditioning your greenhouse. But other than some orchid growers, who in the world actually air conditions their greenhouse? Nobody!

But it turns out she's not talking AC for greenhouses—she's talking AC for your home or office. Ah!





You see, it's been hot all over, including Sacramento, California, where she lives, and as she thought about ways to make her home AC more efficient and effective as it battled 100F temperatures, she realized she could share the tips with you, to use at home or your office, for as long as this summer heat remains and anytime afterward.

Tips include: Temporarily insulating your windows; cool the air entering your condenser; "recharge" your house (or office) at night; utilize your diffusers; and replace your filter.

These tips may not keep your greenhouse and crops cooler, but they'll help YOU keep your cool.

**Finally ...**



More words of wisdom from the pages of *Furniture Today*, the twice-monthly tabloid serving the furniture industry... which apparently has been in the doldrums this summer. Interest rates are high, folks bought the new furniture they needed during the pandemic, new safety and labor rules are causing headwinds for manufacturers ...

Anyway, the editor-in-chief, Bill McLoughlin, points out something obvious: tough times are the right time to reinvent yourself.

As he says, "During a hot streak (remember those?), small imperfections are often overlooked, dubbed distractions or missed altogether. When times are good, there may be funds, but rarely the appetite or perceived need to make significant changes. This is not one of those times.

"When things aren't going well, the need for change becomes crystal clear: The flaws in a business model, a marketing strategy, an assortment or pricing strategy all become open to reassessment ... because the alternative is to join the ranks of those closing their doors."

Good point, Bill! It's like they say, "The time to repair the roof is when it's not raining."

How is your roof and what are you doing to tighten it up for those rainy days? Let me know [HERE](#).

Feel free to email me at [beytes@growertalks.com](mailto:beytes@growertalks.com) if you have ideas, comments or questions.

See you next time!



**Chris Beytes**  
Editor-in-Chief  
*GrowerTalks* and *Green Profit*

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