



December 2022

MGFA Newsletter



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It's Membership Renewal Time

As we wrap up 2022, the Board of Directors and staff of the Minnesota Grain and Feed Association would like to thank our members for their membership support over the past year. Your on-going support and participation in this association is vital to the success and mission of this organization – informing, educating and representing the grain and feed industry in Minnesota.

Membership renewals for calendar year 2023 have been mailed out to everyone and we look forward to continuing to work on your behalf in the new year. Thank you!



MGFA Sustaining Sponsor Spotlight – CHS Inc.



At CHS, their purpose is to create connections that empower agriculture. CHS is a diversified global agribusiness cooperative owned by farmers and local cooperatives across the United States. First organized in 1929, CHS employs more than 10,000 dedicated people around the globe who provide their owners and customers with a strong, efficient supply chain, global market access and inputs.

As a farmer-owned cooperative, CHS connects growers to consumers around the world. They purchase grain from a network of cooperatives and farmer-owners and match it with the needs of domestic and global food and feed customers in 65 countries. CHS also manufactures and distributes a variety of Cenex® brand energy products and offers crop inputs through wholesale and retail operations in more than 450 communities in the United States to help farmers grow healthy, profitable crops.

The MGFA greatly appreciates the generous sponsorship of CHS Inc. and all of our Sustaining Sponsors for your support of the various programs and services provided by the Association. Thank You!



Renew Your Animal Food Facility Registration

Food and Drug Administration **facility registration renewals** are due by **Dec. 31**.

This registration applies to domestic or foreign facilities engaged in the manufacturing, processing, packing or holding of food for consumption by humans or animals in the United States. Owners, operators or agents in charge of these facilities are required to register with the FDA before Dec. 31.

The FDA will consider a food facility's registration to be expired if it is not renewed by the end of the year. There is no fee associated with registration or renewal. All renewal information must be submitted electronically through the **FDA Industry Systems** account, unless the facility has received a waiver that allows for a paper submission.

Each physical location must be registered and include a Data Universal Numbering System (DUNS) number with the registration submission as the unique facility identifier (UFI). The UFI is used to verify that the facility-specific address associated with the UFI is the same address associated with the facility's registration. Currently, the FDA only recognizes a DUNS number as an acceptable UFI. The DUNS number is assigned and managed by Dun & Bradstreet (D&B) and can be obtained or verified by visiting **D&B's website**. Please be aware that it is free to register and be mindful of knock-off sites that will offer to submit a DUNS application for a fee.

Don't wait for the end of the year filled with so many other deadlines. Go ahead and renew your registration now and then you can check facility registration off the "to do" list!

Source: AFIA



STB Publishes Final Rules on New Rate Review Process

The National Grain and Feed Association (NGFA) commended the Surface Transportation Board (STB) today for issuing its long-awaited final rules for the voluntary Small Case Arbitration Program and the Final Offer Rate Review (FORR) process.

STB issued its final rule on Dec. 19 for a streamlined FORR process that would provide rail customers with a more workable approach to challenge unreasonable freight rail rates. STB also published its final rules for the voluntary Small Case Arbitration Program. Both sets of rules would apply to rate disputes that involve rates for regulated commodities not subject to a rail transportation contract.

If all Class I rail carriers opt-in for the arbitration program the Board will issue a notice to commence the new arbitration program. By agreeing to participate in arbitration, carriers will commit to participate in any arbitration proceedings brought against them under this program for a five-year term. If one or more Class I carriers choose to not opt-in for arbitration, all Class I carriers will be subject to rate challenges under the FORR process.

"The final rules issued by STB today mark an important milestone for agricultural shippers and their ability to operate efficiently in the rail transportation system. NGFA-member companies have experienced unreasonably high rail rates with the rapid consolidation of the North American freight rail marketplace and the implementation of new operating models by several Class I railroads. FORR provides an avenue for agricultural shippers to challenge rail rates in a timely and cost-effective manner," NGFA President and CEO Mike Seyfert said.

"We thank Chairman Martin Oberman, STB commissioners and staff for their efforts to improve the rules for reviewing the reasonableness of railroad rates and to make them more workable, accessible and useful for agricultural shippers. We appreciate the incorporation of several of NGFA's recommendations into both the arbitration program and the FORR process. We look forward to continuing to work with the STB on other pending proceedings that would further facilitate more reliable rail service at competitive rates."

In 2014, NGFA developed and submitted to the STB its own version of a simplified rate-challenge methodology intended to be workable for agricultural rail users. Subsequently, a 2015 report by the National Academy of Sciences' Transportation Research Board also found the STB's rate-challenge processes to be complex, time-consuming and costly, with only one agricultural shipper having gone through the rate challenge process in more than 40 years.

Source: NGFA



UP 'Pauses' Embargoes

Union Pacific (UP) Chairman, President and CEO Lance Fritz on Dec. 16 advised the Surface Transportation Board (STB) that his railroad is immediately “pausing any additional embargoes under the pipeline inventory management program we began in November.”

The STB in November ordered the UP leader and other top UP executives to appear at a Dec. 13-14 public hearing on what it called a “substantial increase” in the Class I railroad’s use of embargoes as a method of reducing rail traffic congestion.

An embargo suspends a shipper’s right to common carriage by restricting freight movements. Issued by a railroad when weather, congestion, labor strife, natural disasters or track conditions prevent fluid operations, embargoes may not be used as an alternative to seeking regulatory approval for line abandonments, to avoid handling unprofitable or undesired traffic, or to influence routing. Shippers may ask the STB to cancel an embargo.

https://www.railwayage.com/regulatory/up-pauses-embargoes/?utm_source=&utm_medium=email&utm_campaign=36532

Source: Railway Age



We wish you & your families a Merry Christmas & a Happy New Year!

The MGFA office will be closed on Dec. 23, 26, 30 & Jan. 2 for the holidays.



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