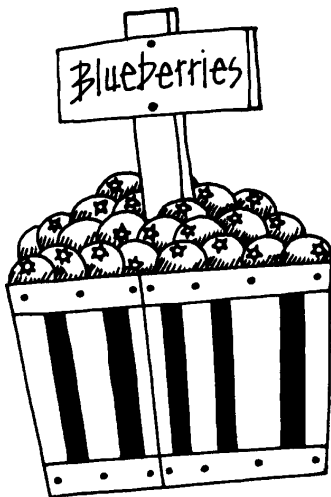


PLANT & PEST ADVISORY

FRUIT EDITION \$1.50

AUGUST 12, 1997



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Misbranded Produce

Submitted by Jerome L. Frecon, Agricultural Agent

This article by New Jersey Secretary of Agriculture, Arthur B. Brown, was recently issued to growers.

During the 1996 growing season the New Jersey Department of Agriculture received a number of complaints alleging that produce shipped into New Jersey from other growing regions was being misbranded and sold to consumers as New Jersey product in violation of state and federal law.

The complaints involved several levels of the produce marketing channels and outlets serving the consumer.

The practice of Misbranding is illegal and considered a serious offense by the New Jersey Division of Consumer Affairs and the Misbranding Unit of the federal Perishable Agricultural Commodities Act (PACA) office in Washington, DC

The New Jersey Department of Agriculture staff have held discussions with the two agencies mentioned above on the subject of misbranding and law enforcement. Based on these meetings the following information is offered to all interested parties.

Under New Jersey law it is illegal to misbrand any article of food. Misbranding for the purpose of the law means that any food shall be deemed misbranded if:

- a. its labeling is false or misleading in any particular way.
- b. it is offered for sale or distributed under the name of another food.
- c. its container is so made, formed, or filled as to be misleading.
- d. in package form, unless it bears a label or tag containing the name and place of business of the manufacturer, packer or distributor.

Under state law, the Consumer Protection Program of the New Jersey Division of Consumer Affairs can, following a valid complaint, subpoena business records within 24 hours and begin an investigation. Penalties for a violation of consumer protection law can result in fines of \$7,500 to \$15,000 depending on the severity of the violation.

Under the Perishable Agricultural Commodities Act (PACA), a Federal law, the misbranding or misrepresentation of grade, quality, quantity, weight, State or country of origin of fresh fruits and vegetables is considered an illegal and unfair trade practice.

The Misbranding Unit of PACA, USDA, upon a valid complaint, will

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initiate an investigation, possible inspection of product and conduct an audit of business records. Penalties for a violation of PACA law can result in fines up to \$50,000 for some violations and exceeding \$200,000 for other violations in addition to revocation of the PACA license.

These two agencies are cooperating with each other to ensure that misbranding does not occur in New Jersey.

Further, any unauthorized use of the "Jersey Fresh" logo is a copyright infringement and a Caledon of rules promulgated by the New Jersey Department of Agriculture. Anyone who violates this is subject to fine and loss of license, as well as possible misbranding charges under the above mentioned Consumer Protection Laws.

To file a complaint or for more information on the subject of misbranding, please use the telephone numbers listed below:

Perishable Agricultural Commodities Act (PACA), (202) 720-5073.

(PACA) New Brunswick, NJ, (732) 846-4798.

New Jersey Office of Consumer Protection, (201) 504-6335.

New Jersey Department of Agriculture, (609) 292-5575.

The identity of a complainant is kept confidential by law. □

Fruit Meeting Calendar

August 26, 1997 - Open House - Fruit Variety Showcase, Adams County Nursery, Aspers, PA
Contact: Michelle or Kristi (717) 677-8105

Sept. 11, 1997 - Variety Showcase and Open House, Rutgers Fruit Research and Extension Center, 283 Route 539, Cream Ridge, NJ
Contact: Dr. Joseph Goffreda (609) 758-731, Ext. 10.

Open House - Fruit Variety Showcase Chicken Barbeque

August 26, 1997
Adams County Nursery
Aspers, PA

Sponsored by Adams County Nursery in cooperation with...
University of Maryland
Pennsylvania State University
Rutgers, The State University of New Jersey
Virginia Tech Cooperative Extension
USDA - Agricultural Research Service

Program

1:00 - 2:00 p.m. Set up fruit variety showcase - Attendees wishing to display fruit will have access at this time

2:00 - 3:30 p.m. Tours of high density orchard plantings and nursery fields

1st stop -Royal Gala/M-9	3rd leaf Vertical axis training system
Crimson Gala/M-9	3rd leaf
Fulford Gala/M-9	2nd leaf
2nd stop -Nursery field	Finished apple trees
3rd stop -Ginger Gold/M-26	6th leaf Individual support
Fuji/M-9	6th leaf
Fuji/Mark	6th leaf
Nittany/M-9	4th leaf Vertical axis

Educational Session

3:30 p.m. Peach Varieties for the Mid-Atlantic Region
Jerry Frecon - Agricultural Agent, Rutgers Cooperative Extension

3:50 p.m. Breeding Varieties for the 21st Century
Dr. Ralph Scorza - USDA-ARS - Appalachian Fruit Research Station - Kearneysville, WV

4:10 p.m. Breeding Pears for Resistance to Fireblight and Pear Psylla

Dr. Richard Bell - Research horticulturist - USDA-ARS
4:20 p.m. Processor Evaluation of Candidate Apple Varieties
Dr. George Green - Penn State University

4:40 p.m. NE183 Apple Variety Trial Update
Dr. Duane Greene - University of Massachusetts

5:00-7:00 p.m. Chicken barbeque dinner - visit fruit variety displays

7:00-8:00 p.m. Open discussion, question and answer session. Variety showcase presenters

Bill Kleiner - Regional Extension Specialist, moderator, Pennsylvania State University Cooperative Extension

8:00 p.m. Adjourn

Reservations required
RSVP by August 15, 1997

Contact Michele or Kristi at Adams County Nursery: (717) 677-8105

Weekly Weather Summary

Keith Arnesen, Agricultural Meteorologist

Temperatures averaged below normal. Extremes were 91 degrees at Pemberton, on the 10th and 47 degrees at Newton on the 8th. Weekly rainfall averaged 0.60 inches North, 0.55 inches Central, and 0.91 inches South. The heaviest 24 hour total was 1.94 inches at Hammonton on the 5th to 6th. Estimated soil moisture, in percent of field capacity, this past week averaged 73 percent North, 56 percent Central and 52 percent South. Four inch soil temperatures averaged 68 degrees North, 71 degrees Central and 73 degrees South.

Weather Summary for the Week Ending 8 a.m. Monday 8/11/97										
WEATHER STATIONS	RAINFALL			TEMPERATURE				GDD BASE50		MON %FC
	WEEK	TOTAL	DEP	MX	MN	AVG	DEP	TOT	DEP	
BELVIDERE BRIDGE	.64	18.70	-2.58	85	50	67.	-5	1637	-166	62
CANOE BROOK	.47	21.11	-1.28	89	53	72.	0	1971	167	63
CHARLOTTEBURG	.31	19.68	-2.91	87	48	67.	-3	1541	120	65
FLEMINGTON	1.34	21.07	-.57	87	50	68.	-5	1696	-155	75
LONG VALLEY	.48	21.10	-2.17	83	49	66.	-4	1506	-94	62
NEWTON	.38	17.21	-3.58	86	47	67.	-3	1405	-238	72
FREEHOLD	MISSING									
LONG BRANCH	.20	18.98	-2.09	88	57	71.	-3	1871	-28	31
NEW BRUNSWICK	.97	27.06	5.96	88	53	70.	-3	1885	-177	74
PEMBERTON	.69	19.10	-2.19	91	54	73.	-1	2130	111	42
TOMS RIVER	.25	18.48	-3.19	89	52	70.	-2	1900	8	32
TRENTON	.65	21.87	1.74	88	52	70.	-5	1865	-289	55
CAPE MAY COURT HOUSE	.71	15.95	-2.73	88	58	73.	-2	1984	-44	33
DOWNSTOWN	.58	17.40	-2.35	88	53	72.	-3	1993	-172	42
GLASSBORO	.09	20.30	-.42	89	57	73.	-2	2136	-2	31
HAMMONTON	2.02	18.70	-2.06	88	55	72.	-3	1977	-163	66
POMONA	1.25	21.45	2.54	87	57	71.	-2	1988	-9	58
SEABROOK	.05	18.87	-.14	89	56	73.	-2	2127	-45	30
ATLANTIC CITY MARINA	.82	18.90	.78	91	60	74.	0	1993	80	41
WOODSTOWN	.12	17.98	-2.77	90	50	72	NA	2152	NA	NA
WES KLINE — GDD BASE 40 PINEY HOLLOW										
Last Week	247 (Ending 08/04/97)									
This Week	226 (Ending 08/11/97)									

Phytophthora Root Rot

Submitted by Jerome L. Frecon, Agricultural Agent

The following comments were made by Mr. Kevin Day, Tulare County Farm Advisor in the 1997 May/June issue of *Orchard Notes*. Mr. Day, a speaker at our 1997 Tri State Hort Meeting, reports that peach tree death in California is the worst in years due to bacterial canker and *Phytophthora sp.* Dr. Lalancette and I have also been reporting on the severity of the *Phytophthora sp.* problem in 1997 in New Jersey after the winds and wet weather of 1996. The following are Kevin Day's comments.

Phytophthora root rot can affect trees of any age, but is common on young trees. The phytophthora fungus invades the root system of the tree and can eventually

cause tree death. Orchards which receive too much water in the spring or in the fall - either from overirrigation or rain - are most susceptible to this disease. Symptoms include: leaf yellowing, overall scaffold weakening and decline, followed by eventual tree death. The best diagnosis is to cut into the tree trunk just below the soil surface. If phytophthora is present, the rootstock will be brown and decayed, and quite often slippery. It is common for vascular system of the aboveground shoots to be unaffected. Control methods include: planting trees on a berm and keeping the graft union above ground, use of proper rootstock for the soil type, and most importantly, proper irrigation management. There are registered chemical products which will help control **phytophthora** if the disease is detected before becoming too severe. (Note: Ridomil Gold) ☐

Fruit IPM

Dean Polk, Agricultural Agent

◆ Peach

✓ **Oriental Fruit Moth (OFM):** Trap captures of adult moths are at similar levels as was recorded last week, indicating moderate pressure. Traps that are near harvested plantings that have remained unsprayed for several weeks have slightly higher counts. Insecticides continue to be justified for OFM in most late plantings.

✓ **Tufted Apple Budmoth (TABM):** Adult activity is at similar levels as recorded last week. Most TABM populations in southern counties will be at 25 to 30% egg hatch on or around 8/12-13 when the second alt. mid. treatment is due, followed by a third treatment around 8/19. This is exactly 1 week ahead of Mercer County, where the first alternate middle spray is due 8/12. The first treatment in Hunterdon County should be due around 8/16-17. Injury from mature first brood larvae is easily found in Gloucester County. Some evidence of feeding by the first young second brood larvae can also be found. Depending on the product used, insecticides should be applied up to 7 to 14 days pre-harvest. [Lannate LV @2-3pt/A or 90SP @.75-1 lb/A (1.5 pt of LV roughly equals the same amount of active ingredient as .5 lb of 90SP), or the synthetic pyrethroids (after mites are controlled): Ambush @6.4 - 10 oz/A (7 day PHI), or Asana @4.8 - 8 oz/A (14 day PHI)].

✓ **Brown rot:** We have seen a slight increase in the amount of brown rot present on ripening fruit. Most of this is associated with split pits or other injured fruit. However, injured fruit that is susceptible to rot infection is easy to find, thus providing plenty of sites for disease inoculum to build up. Fruit with cracked skin are being reported in northern counties.

Bacterial spot: As mentioned in previous newsletters, bacterial spot is easy to find. Some autumn glo blocks have over 50% of the fruit infected. The amount of bacterial spot seen this year points to the need for treating overwintering cankers either in the fall or the spring with copper compounds.

◆ Apple

✓ **Tufted apple budmoth (TABM):** Confirm applications should be made now in southern counties. Although this may cost

slightly more than the alternatives, it is least disruptive to the mite and mite predator complex where mites are still present. Therefore, over the long term, costs are likely to be justified. If using this product, make sure to apply in a full cover (both sides) spray. The second application of Confirm will be due around 8/21, or at 60-70% egg hatch. See TABM discussion under the peach section for other spray timings.

✓ **Codling moth (CM):** The key spray timings for CM are over throughout the state. However, sprays continue to be needed if trap counts exceed 5 males per trap per week. Where Confirm is being used for TABM control, no additional insecticide is required for CM control.

✓ **Spotted tentiform leafminer (STLM):** Trap counts have increased, indicating that new sap feeding mines will be visible in the near future. Where the mine count is close to 2 to 3 mines per leaf, treatment may not be needed on early varieties. On varieties that ripen from mid-September and later, treatment will likely be needed when new mines become visible and there are more than 2 to 3 mines per leaf. We have seen very high parasitism in several blocks. This has been reflected in lower than average trap captures of adult moths.

◆ Blueberry

✓ **Sharpnosed leafhopper (SNLH):** Trap captures of adults increased this past week in the abandoned sites in Atlantic and Burlington Counties, and commercial fields in Burlington County. This indicates that the second generation is now maturing and adults are starting to fly and disperse into cultivated fields. A post-harvest 'second generation' leafhopper treatment will be needed to minimize the spread of blueberry stunt disease. This has normally been applied during the first part of September, after adult emergence is well underway.

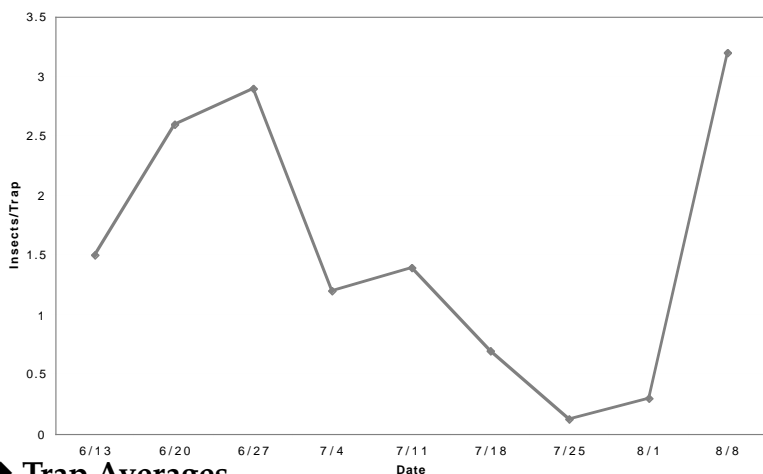
SEE IPM ON PAGE 5

Tree Fruit Pest Degree Day Accumulations Since 1st Catch - 8/11/97

Site	Biofix/1 st Catch Date & DD - TABM		Biofix/1 st Catch Date & DD - CM	
Hammonton - At. Co.	5/2	2365	5/9	1821
Hardingville - Glou. Co.	4/30	2394	4/30	1887
Bridgeton - Cumb. Co.	5/1	2409	5/2	1888
Princeton - Mercer Co.	5/12	2196	5/5	1769
Oldwick - Hunt. Co.	5/17	2072	5/16	1642
Hackettstown - War. Co.	5/22	1975	5/9	1659
Spray target after biofix/1st catch	Alt Mid Appl. at 490, 625, 763, 898 (1st brood), and 2228, 2415, 2605, 2795 (2nd brood)		250 DD plus 2 weeks later (1st generation), 1250-1300 DD plus 2-3 weeks later (2nd generation)	

✓ **Sharpnosed Leafhopper – Burlington County:**

SNLH - Burl. Co.



✓ **Blueberry maggot:** Maggot fly adults are still present at low levels. We are finding more in Atlantic County than Burlington County, which has been the trend all season. Since many growers with Elliott are on their second picking, maggot sprays are still needed to protect fruit intended for the third picking. No maggot larvae have been found in any of our boiling samples to date.

◆ **Trap Averages**

South Jersey Tree Fruit

Week Ending	RBLR	STLM	TBM-A	CM	AM	OFM	TBM-P	LPTB	PTB
6/20	3.1	1036	58.0	4.9	—	5.4	74.3	19.9	0.5
6/27	26.9	1169	52.2	3.7	—	13.8	69.9	31.1	0.4
7/4	47.4	1517	45.9	1.9	.11	11.1	53.1	32.7	1.5
7/11	37.4	1507	19.8	1.4	.04	9.9	21.4	24.7	3.3
7/18	27.0	1108	7.1	2.0	.08	7.0	7.5	21.1	5.9
7/25	6.9	985	32.3	6.3	.52	14.0	31.9	14.1	3.4
8/1	1.3	1029	46.9	5.9	.46	16.5	37.8	10.7	3.6
8/8	5.9	1649	35.6	6.7	.34	14.3	40.0	8.6	5.5

North Jersey Tree Fruit

Week Ending	RBLR	STLM	TBM-A	CM	AM	OFM	TBM-P	LPTB	PTB
6/20	0.1	374	21.1	5.5	0.0	2.5	19.2	22.3	1.5
6/27	5.2	658	19.1	5.1	0.0	2.1	14.5	17.4	1.0
7/4	1187	552	43.5	5.3	0.0	2.1	6.4	2.0	12.2
7/11	16.9	1330	13.9	1.9	0.0	3.0	5.8	0.8	1.0
7/18	7.2	528	5.8	0.9	0.0	1.9	1.8	2.8	0.7
7/25	3.5	480	0.2	0.8	.03	0.6	1.3	1.9	0.1
8/1	2.7	915	1.4	2.7	.06	2.1	0.9	2.7	1.0
8/8	3.1	897	1.9	4.9	.05	1.7	1.1	1.4	0.8

Blueberry

Atlantic Co.

Week Ending	RBLR	OBLR	CBFW	SNLH	BBM
6/20	35.1	14.0	0.6	0.5	0.0
6/27	105	13.4	0.6	1.8	.02
7/4	97	3.4	0	1.5	.04
7/11	95	1.6	.04	0.8	0.2
7/18	39.1	0.6	0.0	0.3	.14
7/25	15.5	0.4	.07	0.4	.03
8/1	27.4	0.3	0.0	0.2	0.2
8/8	70	2.7	0.0	0.1	0.2

Burlington Co.

Week Ending	RBLR	OBLR	CBFW	SNLH	BBM
6/20	4.0	12.8	0.8	2.6	0.0
6/27	36	6.5	1.1	2.9	0.3
7/4	47	1.8	.06	1.2	0.0
7/11	71	2.1	0.4	1.4	0.0
7/18	31.3	0.4	0.0	0.7	0.0
7/25	6.6	0.3	0.0	.13	0.0
8/1	1.6	0.5	0.0	0.3	0.3
8/8	12.5	1.4	0.0	3.2	0.0

Wild Sites

Week Ending

	At.Co. SNLH	Burl.Co. SNLH	At.Co. BBM	Burl.Co. BBM
6/27	—	8.7	—	0.0
7/4	13	14.7	0.0	11.0
7/11	8.0	9.6	0.0	4.6
7/18	6.0	11.2	0.0	27.0
7/25	0.0	4.0	0.0	20.4
8/1	0.0	1.5	0.0	34.3
8/8	2.0	4.5	0.0	4.4

Rutgers Cooperative Extension - NJAES
U.S. DEPARTMENT OF AGRICULTURE
Rutgers - The State University of New Jersey
P.O. Box 231
Cook College
New Brunswick, N.J. 08903-0231

PLANT & PEST ADVISORY

FRUIT EDITION - CONTRIBUTORS

Rutgers Cooperative Extension Specialists

Robert Belding, Ph.D., Pomology
Joseph A. Fiola, Ph.D., Small Fruit & Viticulture
Norman Lalancette, Ph.D., Plant Pathology
Bradley A. Majek, Ph.D., Weed Science
Peter Oudemans, Ph.D., Plant Pathology
Sridhar Polavarapu, Ph.D., Entomology
Peter W. Shearer, Ph.D., Entomology
Craig A. Storlie, Ph.D. Agricultural Engineering
NJAES/Cook College
Joseph Goffreda, Ph.D., Breeding
Edward Durner, Ph.D., Plant Physiology
Rutgers Cooperative Extension Agricultural Agents
and Program Associates
Gloucester County, Jerome L. Frecon (609-863-0110)
Hunterdon County, Winfred P. Cowgill, Jr. (908-788-1338)
Morris County, Peter J. Nitzsche (201-285-8300)
Warren County, William H. Tietjen (908-475-6505)
Fruit IPM, Dean Polk (609-758-7311)
Ken Petersen, Program Associate (908-788-1338)
Gene Rizio, Program Associate (609-566-2900)
David Schmitt, Program Associate (609-863-0110)

Newsletter Production

Jack Rabin, Assistant Director, NJAES
Cindy Rovins, Editor and Designer

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