

PLANT & PEST ADVISORY

VEGETABLE CROPS EDITION \$1.50

AUGUST 13, 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

SEE MISBRAND ON PAGE 2

Pest Notes

Gerald M. Ghidui, Ph.D. Vegetable Entomology

✓ **General:** Moisture levels are below normal for the entire state, and with the hot, dry weather conditions there have been reports of high **spider mite** populations in many crops throughout the state. These pests have been found on pepper (leaves and fruit), eggplant, beans, tomatoes, and even onions and sweet corn. Look for speckled or stippled leaves, then check on the undersides of leaves for **mites**, especially on the older, larger leaves. After **mite** damage appears around the mid-veins of many crops, the leaves have a chlorotic appearance when viewed from the top surface. Another easy identification sign is webbing on the underside of leaves. Many reports have been received that Dibrom 8E, diazinon and Cygon are not effective. The miticides Kelthane, Vendex, and Agrimek have been good to excellent with **mite** control, but these materials have limited labels. Metasystox-R (MSR) is labeled for **mites** in some vegetable crops, but it is an older material and may not be as effective as the newer miticides. Vydate L is labeled on most crops, and although it does not have **mites** on the label, it will reduce the **mite** population (NJ DEP Division Order #6 allows growers to use a pesticide against a pest not on the label as long as the material itself is labeled for that particular crop).

Low populations of **beet armyworms** have been trapped in the Black light traps and pheromone traps (operated by Sally Walker, Chris Holstrom and Wes Kline) in southern New Jersey. Extension specialists in Delaware and Maryland also report low populations of **beet armyworms** at this time, so it is likely we will not see the problems of severe **beet armyworm** damage that growers experienced last year. This pest is usually troublesome after a series of late summer or early fall hurricanes develop, when the wind currents bring large numbers of **moths** quickly into our area.

✓ **Bean (Snap): Potato leafhoppers** have caused injury to snap beans and lima beans throughout the state. In many fields, the thresholds for **leafhopper** control have been exceeded (see page 68 of the [1997 Commercial Vegetable Production Recommendations for New Jersey](#) for the different thresholds based on plant development). Damage appears as '**hopperburn**', with the edges and leaf tips becoming yellow, then brown. With high populations, the leaves rapidly dry up and fall from the plant, and yields decline.

✓ **Eggplant: Leafhoppers** have been increasing in some eggplant fields, causing leaves to turn yellow on the tips and around the edges. Thiodan (1.3-2.67 pt of 3EC), Vydate (1-2 qt of L) and Provado (3.75 oz of 1.6F) are labeled on eggplant, and all will effectively control **leafhoppers**. Because of their small size and difficulty to detect, **leafhoppers** often go unnoticed until heavy

damage is observed. Monitor this pest closely, and do not let populations build up to the point where damage is easily seen (there are no thresholds available for **leafhoppers** on eggplant).

✓ **Onions and Leeks:** High numbers of **onion maggot flies** are being trapped in the Vineland area in traps operated by Wes Kline and Dave Bachinski. Growers seeding or transplanting onions or leeks will need **maggot** protection. The only insecticide labeled on green onions and leeks is diazinon, which can be applied at plant or post plant. Lorsban is very effective, but labeled only on dry onions. No other insecticides are labeled on leeks. Rates of diazinon are dependent on the different formulations, so read label thoroughly for all rates and restrictions.

✓ **Pepper:** The black light trap at the Rutgers Agricultural Research and Extension Center, Bridgeton, is catching 13-14 **European corn borer moths** per night, and the numbers of **moths** are increasing. Pepper fruit should be protected with foliar sprays to prevent **borer** entry into the fruit. Asana, Baythroid, Lannate, Orthene and permethrin are labeled for control of **corn borers** in bell peppers. See page 112 of the [1997 Commercial Vegetable Production Recommendations for New Jersey](#) for more information concerning **borer** control in peppers. □

MISBRAND FROM PAGE 1

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. □

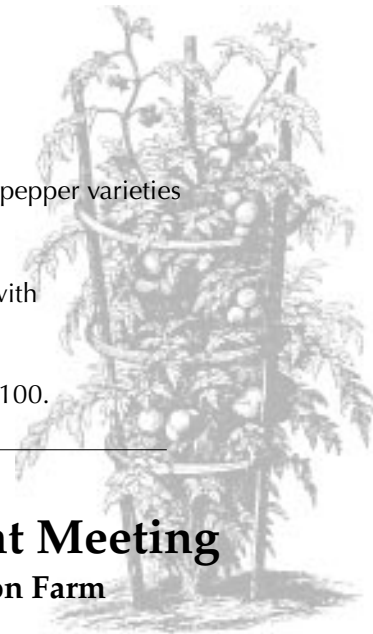
Vegetable Twilight Meeting

Rutgers Agricultural Research & Extension Center (RAREC)
Upper Deerfield, New Jersey
Date: August 19, 1997
Time: Plots open 5:30 p.m.
Welcome 6:30 p.m.

- ❖ Round tomato varieties on stakes
- ❖ Plum tomato varieties on stakes
- ❖ Processing tomato varieties
- ❖ Bacterial Leaf Spot and Phytophthora resistant pepper varieties
- ❖ Pepper disease management plots

Discuss: Insect, disease, and cultural problems with Extension Specialists and Agents.

For more information, call RAREC at (609) 455-3100.



Horticultural Research Twilight Meeting

Rutgers Snyder Research and Extension Farm
Pittstown, New Jersey
Date: August 27, 1997
Time: 6-8:30 pm rain or shine

Vegetable

- ❖ Fresh market tomato cultivar trial
- ❖ Fresh market tomato fertilization trial
- ❖ Tomato disease forecasting trial
- ❖ Cole crop cultivar trial
- ❖ Specialty potato cultivar trial
- ❖ Discussion of fresh market tomato grading and handling

Fruit

- ❖ New and promising peach and apple cultivars

Contact: Peter Nitzsche (201) 285-8300
Winfred Cowgill (908) 788-1339
William Tietjen (908) 475-6505

IPM Update

Kristian E. Holmstrom, Vegetable IPM Program Associate and Sally Walker, Vegetable IPM Program Associate

◆ Pepper

The main threat continues to be **European corn borer (ECB)**, although **fall armyworm (FAW)** activity in southern pepper areas is moderate. Southern **beet armyworm (BAW)** trap catches remain low. At this time, consideration should be given to insecticides which will control both **FAW** and **ECB**.

There was a significant reduction in the marketable fruit resulting from stinkbug damage in an unsprayed test plot in Salem County. The damage occurred mainly on the shoulders of the fruit and appeared as pale star-shaped blotches beneath the surface.

◆ Snap and Lima Bean

ECB activity is high in bean growing regions (see sweet corn section). **Snap bean** plantings in bloom and pin-pod stages should be protected at this time. **Lima bean** plantings should be scouted for **corn earworm (CEW)** and **FAW** infestations. Moth activity is low to moderate but the potential for damage exists.

◆ Sweet Corn

Populations of **CEW** have been slow to develop. There is consistent low level activity throughout the southern counties with sporadic activity in the central and northern counties. Pheromone trap catches in the

southern counties are highly variable with some indicating moderate activity and others indicating none. The highest nightly **CEW** blacklight trap catches are as follows:

East Vineland	6	Ellisdale	1	Pedricktown	1
Egg Harbor	2	Flanders	1	Sewell	1
Fishing Creek	2	Cedarville	1	Milltown	1
Hancocks Bridge	1	Hammonton	1	Farmingdale	1

Adult **ECB** activity is moderate to high throughout the state with some areas experiencing extremely high populations. Host crops continue to be at risk for infestation. The highest nightly **ECB** blacklight trap catches are as follows:

Shirley	85	Flagtown	21	Elmer	12
Allentown	42	Ellisdale	18	Ringoes	12
Little York	35	Georgetown	18	Sergeantsville	11
Hackettstown	22	Cohansey	13	Burlington	10

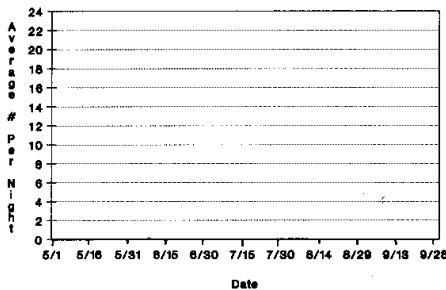
Moderate **FAW** activity continues around the state with locally high pheromone trap catches in southern counties. Whorl stage infestations are occurring throughout the state although pressure in the northern counties is much lighter. Treat plantings when 12% of plants are infested with **FAW** and/or **ECB**.

◆ General Sweet Corn Spray Schedule

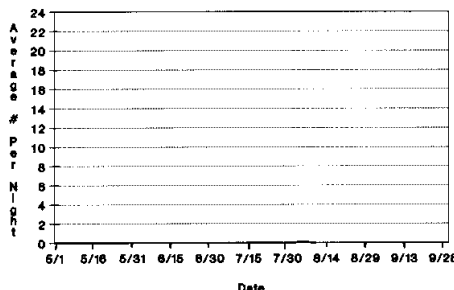
Silking stage: North 5 - 6 days*
 Central 4 - 5 days*
 South 3 - 4 days*

*These are general spray recommendations for large areas of the state. Growers can increase or decrease the intervals based on their own local situations.

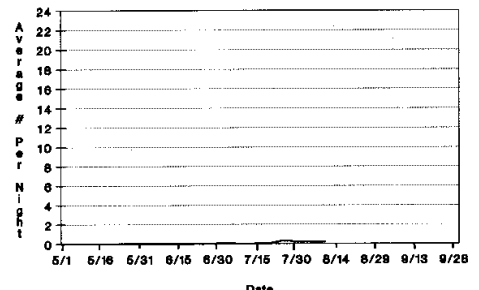
Northern NJ- CORN EARWORM (CEW)
Blacklight Trap Catches



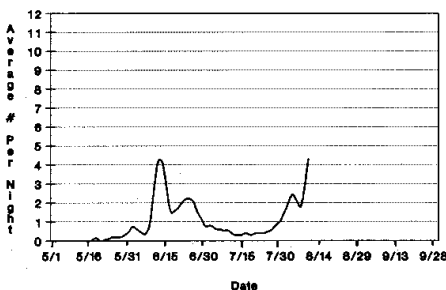
Central NJ- CORN EARWORM (CEW)
Blacklight Trap Catches



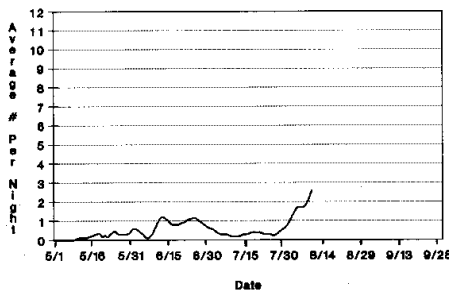
Southern NJ- CORN EARWORM (CEW)
Blacklight Trap Catches



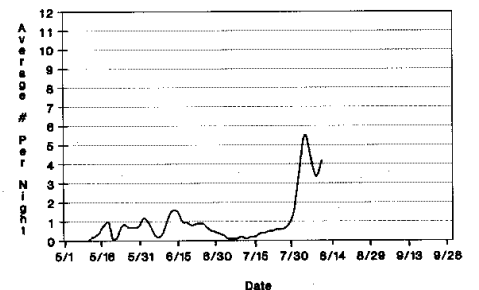
Northern NJ- EUROPEAN CORN BORER (ECB)
Blacklight Trap Catches



Central NJ -EUROPEAN CORN BORER (ECB)
Blacklight Trap Catches



Southern NJ -EUROPEAN CORN BORER (ECB)
Blacklight Trap Catches



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
DOWNTOWN	.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)									

RCE FAX INFO LINE

YOUR COUNTY AGENT ON CALL

24 HOURS A DAY

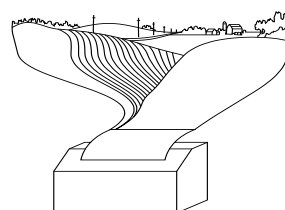
(908) 932-6767

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Documents of Interest:

- ✓ Pesticide Labels
- ✓ Fact Sheets
- ✓ Forms



- 1) The system is easy to use. Dial (908) 932-6767 (use your phone, not the handset on your fax machine).
- 2) The recording will ask you to press a number if you'd like an Index of Documents, or a specific document faxed to you.
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PLANT & PEST ADVISORY

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Pesticide User Responsibility: Use pesticides safely and follow instructions on labels. The user is responsible for the proper use of pesticides, residues on crops, storage and disposal, as well as damages caused by drift. For specific labels, special local-needs label 24(c) registration, or section 18 exemption, contact Rutgers Cooperative Extension of your County.

Use of Trade Names: Trade names are used in this publication with the understanding that no discrimination is intended and no endorsement is implied. In some instances the compound may be sold under different trade names, which may vary as to label clearances.