

# PLANT & PEST ADVISORY

FRUIT EDITION \$1.50

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## Misbranding of Fresh Produce Sold in New Jersey

*Arthur Brown, Secretary of Agriculture, NJDA*

**D**uring the 1999 and 2000 growing seasons the New Jersey Department of Agriculture continued to receive 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.

Because of the importance of this subject, I wanted to reaffirm the specific legal issues involved with misbranding.

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 staff has 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:

- Its labeling is false or misleading in any particular.
- It is offered for sale or distributed under the name of another food.
- Its container is so made, formed, or filled as to be misleading.
- 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 written 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, size, count, variety, quality, quantity, weight, or State, country, or region of origin of fresh fruits and vegetables is considered an illegal and unfair trade practice.

*SEE MISBRANDING ON PAGE 2*

*MISBRANDING FROM PAGE 1*

The Misbranding Unit of PACA, USDA, upon a valid complaint, will 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 and/or suspension of the PACA license. Also, PACA misrepresentations can result in the revocation of a 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 violation 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), Washington, DC 202-720-5073; PACA New Brunswick, NJ 732-846-4798
- ◆ New Jersey Office of Consumer Protection 973-504-6200  
(Toll free for NJ residents only) 1-800-242-5846
- ◆ To report Jersey Fresh Quality Grading Program Violations, New Jersey Department of Agriculture – 609-292-5575

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

*Submitted by Jerome L. Frecon, Agricultural Agent. □*

## Marketing Information for Farmers

*Jerome L. Frecon, Agricultural Agent*

Marketing our fruit crop is still one of the biggest challenges faced by many producers. As the number of wholesale buyers continues to dwindle with the consolidation of the retail food industry, we need a well thought-out plan to market our crops. The hope is to continue to offer our product as in past seasons, while still making a profit.

I was recently reading a Power Point presentation called "Reap New Profits: Marketing Strategies for Farmers and Ranchers" by the Sustainable Agriculture Research and Education Program (SARE) administered by the USDA-CREES. The presentation, which I hope to show at a number of meetings this winter, has some excellent information on Marketing Strategies and New Paths for Commodities. Most importantly it has an excellent section on Evaluating New Farm Enterprises: Elements of developing a Business and Marketing Plan. This information is so important when embarking on a new marketing program. I will not get into this now, except to say that we must develop a new plan if we are to survive.

The presentation also contained some excellent resources, which I have included:

Appropriate Technology Transfer for Rural Areas (ATTRA), PO Box 3657, Fayetteville, AR 72702, (800) 346-9140; [www.attra.org](http://www.attra.org). Provides assistance, publications and resources free of charge to farmers, Extension educators and other ag professionals. Ask for "Adding Value to Farm Products: An Overview," and "Fresh to Processed: Adding Value for Specialty Markets."

Sustainable Agriculture Research and Education (SARE) Program, U.S. Department of Agriculture, 1400 Independence Ave. SW, Stop 2223, Washington, D.C. 20250-2223, (202) 720-5203; [www.sare.org](http://www.sare.org). Administered by USDA-CSREES, SARE studies and spreads information about sustainable agriculture via a nationwide grants program.

Sustainable Agriculture Network (SAN), Hills Building, Room 10, University of Vermont, Burlington, VT 05405-0082; [www.sare.org/htdocs/pubs/](http://www.sare.org/htdocs/pubs/). As SARE's national outreach arm, SAN disseminates information through electronic and printed publications. Call (802) 656-0471 or email [nesare@zoo.umv.edu](mailto:nesare@zoo.umv.edu) for questions about bulk discounts or rush orders.

North American Farmers' Direct Marketing Association (NAFDMA), 62 White Loaf Road, Southampton, MA 01073, (413) 529-0386 or (888) 884-9270; [www.nafdma.com](http://www.nafdma.com)

NxLevel. The Agricultural Entrepreneurs Program module is a SARE-funded project offering training and materials for farmers seeking marketing opportunities. (800) 873-9378 Service Corps of Retired Executives (SCORE), 409 Third St., SW, 4th floor, Washington, DC 20024. Call (800)8ASK-SBA for SCORE office near you.

USDA Rural Business Cooperative Services. Helps cooperatives learn to market and distribute agricultural products. (202) 720-7558; [www.rurdev.usda.gov/rbs/coops/csdir.htm](http://www.rurdev.usda.gov/rbs/coops/csdir.htm)

Agricultural Direct Marketing E-mail Discussion Group, [direct-mkt@reeusda.gov](mailto:direct-mkt@reeusda.gov) Information about agricultural direct marketing. Send "subscribe direct-mkt" as a message to [majordomo@reeusda.gov](mailto:majordomo@reeusda.gov), with the subject line empty.

*SEE MARKETING ON PAGE 3*

Agricultural Marketing Service Farmers Market Directory. Lists hundreds of farmers markets across the country [www.ams.usda.gov/farmersmarkets/map.htm](http://www.ams.usda.gov/farmersmarkets/map.htm) or (202) 700-8317.

Alternative Farming Systems Information Center. CSA resources for farmers & consumers. [www.nal.usda.gov/afsic/csa/](http://www.nal.usda.gov/afsic/csa/) or (301) 504-6559; [afsic@nal.usda.gov](mailto:afsic@nal.usda.gov).

Farmer/Consumer links [www.localfarm.net](http://www.localfarm.net) and [www.smallfarms.com](http://www.smallfarms.com) link farmers and consumers.

Internet Marketing Center offers marketing tips and strategies, research resources, a free monthly newsletter and more at [www.marketingtips.com/index.html](http://www.marketingtips.com/index.html).

Sustainable Farming Connection, [www.metalab.unc.edu/farming-connection](http://www.metalab.unc.edu/farming-connection), offers a forum for farmers to find and share information, including a diverse collection of resources and links about marketing. See "Net Marketing: How Farmers are Using the Internet to Reach and Satisfy Customers."

"Direct Marketing of Farm Produce and Home Goods", by John Cottingham, et.al. (A3062) is available from Wisconsin Cooperative Extension Publications. Free. (608) 262-3346.

"The Direct Marketing Resource Notebook" by Nebraska Sustainable Agriculture Society, includes case studies of different direct marketing enterprises, midwestern state and federal marketing contacts and an extensive resource section. \$20. (402) 254-2289.

"Farmers and their Diversified Horticultural Marketing Strategies," by the Center for Sustainable Agriculture is a 50-minute video, \$15. (802) 656-5459 or [susagctr@zoo.uvm.edu](mailto:susagctr@zoo.uvm.edu).

"Farming Alternatives: A Guide to Evaluating the Feasibility of New Farm-Based Enterprises" \$11.50, NRAES-Northeast Regional Ag Engineering Service, (607) 255-7654 or [nraes@cornell.edu](mailto:nraes@cornell.edu). Catalog includes relevant titles such as Facilities for Roadside Markets, \$7, and Produce Handling for Direct Marketing, \$7 at [pubs.cas.psu.edu/Pubs/nraes51.html](http://pubs.cas.psu.edu/Pubs/nraes51.html).

"Food Consumption, Prices, and Expenditures, 1970-97" by Judith Jones Putnam and Jane E. Allshouse. Economic Research Service, U.S. Department of Agriculture. (No.965) Describes U. S. consumer purchasing habits from 1970 to 1997. Free. (800) 999-6779; [www.ers.usda.gov/epubs/pdf/sb965/](http://www.ers.usda.gov/epubs/pdf/sb965/).

"Internet Marketing for Farmers" (FS 510) by Washington State University Cooperative Extension, King County. Free. (206) 296-3900.

"The Legal Guide for Direct Farm Marketing", by Neil Hamilton. Offers tips about legal issues to consider when direct-marketing farm products. \$20. Agricultural Law Center, Drake University, Des Moines, IA 50311. (515) 271-2947. □

## Organic Berry Meeting

July 18, 2001  
New Egypt, NJ

Rutgers Cooperative Extension and the North East Organic Farming Association of New Jersey are sponsoring a twilight meeting July 18, 2001 to demonstrate organic and sustainable production of blueberries and raspberries. The event will be held at Emery's Berry Patch in New Egypt. Speakers will discuss variety selection, fertility, disease, insects and cultural practices for organic weed control.

The event will begin with a light supper at 5:15 PM; the educational program will begin at 6:00 PM.

Emery's Berry Patch is located on Long Swamp Road in New Egypt, just off of Route 539. To RSVP or for more information (including directions), call Rutgers Cooperative Extension of Monmouth County, 732-431-7260, or check the NOFA-NJ website at [www.nofanj.org](http://www.nofanj.org). Pesticide certification credits are approved for 3 units for area 1A - Agricultural Plant and 3 units for area PP2 -private applicator category. □

## Cornell Fruit Field Day

August 15, 2001  
Ithaca, NY

The fruit team at Cornell University is pleased to announce that it will host a field day on August 15, 2001 from 8:00 am - 5:00 pm at the experimental farms near Ithaca to view research and demonstration plantings involving tree fruits and berries, and to learn about postharvest and spray application technologies for these crops. Attendees will have the opportunity to see plantings of apples, peaches, blueberries, raspberries, strawberries, pears, chestnuts, blackberries, kiwifruit, and other alternative fruit crops, and to learn about experiments being conducted on them. The emphases of the research at the Ithaca locations are low impact pest management, understanding the belowground environment, variety testing, and postharvest physiology. Included will be a demonstration of three new sprayer types for small trees and berry plantings. The field day will start at 8:00 am, lunch will be served at the beautiful Cornell Plantations, and transportation will be provided to the Lansing orchard located at a spectacular setting along Cayuga Lake. The cost for the event is \$20.00. Attendees must pre-register or make a reservation by August 1. Call 607-255-5439 or email [mw45@cornell.edu](mailto:mw45@cornell.edu) to reserve your spot at the Cornell Fruit Field Day, or send a check made out to Cornell University to Fruit Field Day, Dept. of Horticulture, Cornell University, Ithaca, NY 14853. □

# Bramble Cultivar

## Recommendations, Part II

Joseph A. Fiola, Specialist in Small Fruit and Viticulture

*Continued from Part I, from previous issue.*

### Primocane-Fruiting Red Raspberry

Primocane-fruiting or "fall bearing" red raspberries produce fruit on the current season's growth in the late summer. These are grown in a system where the fall fruiting canes are mechanically mowed in the late winter, after which new canes sucker from the crown. This system is much more labor efficient and, also reduces disease pressure since all canes are removed each winter. The harvest season extends from early August through frost.

'**Polana**' is the earliest of the red primocane-fruiting varieties. It has good fruit flavor but the fruit size is relatively small.

'**Caroline**' (JCR-F1) is a new, highly productive, red primocane-fruiting variety from the Cooperative Breeding Program. It has cohesive conic shaped fruit with excellent flavor and shelf life. 'Caroline' is typically one to two weeks earlier than 'Heritage', with 20% larger fruit size. It has good vegetative vigor, but only low-medium suckering.

'**Autumn Bliss**' and '**Autumn Britten**' were selected in Scotland for their fine flavor firm fruit. Plant and fruit productivity has been variable in New Jersey. They are resistant to **powdery mildew**.

'**Heritage**' has been the standard cultivar primocane variety. It has good quality fruit, consistent production, and a long harvest season. It is adapted to Pick Your Own or commercial production, for fresh or processing. The biggest drawback of 'Heritage' is that it begins fruiting late in the summer, and typically a percentage of the crop is lost to frost. This can be overcome somewhat by the use of floating row covers in the early spring. Fruit size is also less than desirable.

'**Josephine**' (JEF-F1) is a new, highly productive, red primocane-fruiting variety from the Cooperative Breeding Program. It has very large cohesive conic shaped fruit with very good flavor and shelf life. 'Josephine' is the same season as 'Heritage'. It has good field resistance to **leafhoppers** and good vegetative vigor. It has been the top primocane performer over the past two seasons in commercial plantings.

### Recommended for Trial

**QQ-F1** and **QEG-F1** are new, highly productive, red primocane-fruiting varieties from the Cooperative Breeding Program. They have very large cohesive conic shaped fruit with very good flavor.

**ND-F1** is a new extra large red primocane-fruiting variety from the Cooperative Breeding Program. It is very late and is only recommended for trial under protective cover (high tunnels) or in areas where first fall frosts are very late in the year.

### Blackberries

There have been many good adapted thornless blackberry cultivars released through the USDA and Arkansas Breeding programs.

'**Chester Thornless**' produces a large crop of berries that have very good shelf life. It is also the most hardy of the group.

'**Triple Crown**' is a new release that is earlier than 'Chester' with excellent fruit quality and comparable cold hardiness.

'**Dirksen Thornless**' has also shown to have good hardiness and '**Hull Thornless**', a third sib, has good quality, but the fruit tends to be soft, which limits its use to Pick Your Own.

### Recommended for Trial

'**Navaho**', '**Arapaho**', and '**Kiowa**' are erect thornless varieties released from Arkansas. They have high quality fruit with good shelf life, but their general adaptation to New Jersey is unknown.

There are also some good quality thorny blackberries available, which are typically grown when the thornless will not make it through the winter.

'**Illini Hardy**' comes from a thorny x thornless cross and has good hardiness.

'**Shawnee**', a thorny upright from Arkansas, is very productive and has large fruit.

'**Choctaw**' the latest release, comes in very early, but also has soft fruit that restricts its use to Pick Your Own.

'**Chesapeake**' is the new release from the Cooperative Breeding Program. It has exceptionally large sweet fruit and warrants a trial.

### Hybrid Berries

The only widely grown raspberry x blackberry hybrid grown in the east is the '**Tayberry**'. It has a trailing habit that is sometimes hard to manage, but produces very large fruit with strong raspberry character. It is, however, very cold tender and production is limited to southern regions or areas protected by less extreme marine climates. There are many highly productive hybrids coming along through the Cooperative Breeding Program that soon will be available for evaluation of hardiness and quality.

### Summary

There are a large number of excellent quality early to late raspberries, blackberries, and primocane-fruiting berries available for a long season of commercial berry production. The right choices can only be made after careful consideration of all of the aspects that are critical to your operation. Contact your county extension agent for specific sight analysis and recommendations for your location. With proper planning and preparation, you can look forward to many years of profitable caneberry production. □

# Fruit IPM

Dean Polk, Fruit IPM Agent

## Peach

✓ **Oriental Fruit Moth (OFM):** Trap captures increased slightly since last week. While captures on most farms have been less than 50 males per trap, some high-pressure areas had over 200 males per trap. Do not reduce insecticide rates during periods of increased pest pressure. Also, make sure that insecticide remains on the trees during peak flight periods. Sprays may have to be reapplied after frequent, heavy rains.

✓ **Tufted Apple Budmoth (TABM):** First generation treatments should be completed in southern counties, but should continue through the middle to the end of the week in northern counties if needed. See pest map for higher-pressure areas throughout the state.

✓ **Catfacing Insects (CFI) and Physiological Injury:** While some fresh catfacing injury was noted this past week, most injury is old (greater than 1 to 2 weeks old). Much of this probably occurred when **stink bugs** and **tarnished plant bugs** moved into orchards after heavy rains but before the reapplication of additional material. Other injury appears like catfacing marks, but is concentrated on the suture or on a crease at the end of the fruit. Upon cutting this fruit open, one can see bleeding and a breakdown of the flesh, which can extend to the pit. This may have been caused by cold temperatures or other physiological factors earlier in the season.

✓ **San Jose Scale (SJS):** The motile "crawler stage" has been active over the past 2 weeks in southern counties. Where growers have scale problems, Diazinon is one of the highest rated materials for this insect. The label rate is 1 lb/100 gal or about 2 lb/Ac. Diazinon has a 21day PHI, and should not be mixed with captan or sulfur.

✓ **Brown Rot:** With earlier **blossom blight** combined with heavy rains, the stage has been set for ideal brown rot conditions. Some rot has already been seen on early varieties. While this may not be unusual, growers should use caution in their approach to disease control, especially during the last 3 weeks before harvest.

## Apple

✓ **Tufted Apple Budmoth (TABM):** Some egg hatch was still noted this past week. See peach section above for general timing of TABM insecticides.

✓ **Codling Moth (CM):** Trap counts are quite high for this time of year, indicating high insect pest pressure in many areas. Trap counts are highest near abandoned and unsprayed orchards. If growers are using repeated applications of Guthion or Imidan in these situations, they may wish to consider alternate materials such as Avaunt (5-6 oz/Ac) or pyrethroids.

✓ **Aphids (Apple and Spirea Complex):** While aphid populations are present, continued predation by natural enemies continues to suppress populations. Given the price of apples, growers will find it to their advantage to wait before using insecticides for aphids, and permitting the aphid predators to do their job. Predators include **Syrphid fly larvae**, **midge larvae**, **green lacewings** (larvae and adults), **lady beetles**, and minute **pirate bugs**.

✓ **Woolly Apple Aphids (WAA):** This is another aphid species, usually not very common in our orchards. In recent years they have shown up in blocks exposed to repeated pyrethroid use. While there is some parasitism, one of the principal reasons WAA are present is because their natural enemies have been destroyed with the pyrethroid use. Look for small to medium size, white, woolly colonies around pruning cuts. Thiodan combined with a spreader in sufficient volume showed good results last season.

✓ **Summer Diseases - Black Rot and White Rot:** A considerable amount of **frog eye leaf spot**, the foliar phase of black rot has been seen in scouted orchards. Captan plus Benlate remains a good combination for summer disease and rot control. However, growers should still be very aware of **apple scab**, since it is present in many blocks. Do not rely on fungicide combinations that contain Benlate if you have scab present in your orchard. While the sterol inhibitors are effective for scab, they do not control summer diseases. Flint and Sovran control both scab and summer diseases (but are weak on **bitter rot**). Sovran is rated slightly better for black and white rot control.

## Blueberry

✓ **Aphids:** Aphid levels have increased slightly since last week. Aphids are present in 83% of samples taken, but exceed 10% of young terminals infested in only 45% of those samples.

✓ **Blueberry Maggot (BBM):** While adults are present in both Atlantic and Burlington Counties, counts in most commercial fields are at "0" to very low.

✓ **Sharpnosed Leafhopper (SNLH):** Adults are still being found in yellow sticky traps, but have decreased slightly since last week. This likely marks the first generation flight peak for this insect. Insecticides applied for **blueberry maggot fly** should still target sharpnosed leafhopper.

✓ **Oriental Beetle (OB):** Oriental beetle adults are in full flight. Trap counts exceed 1,000 adults per trap in many areas where the insect is present. Growers should be particularly aware of beetle populations in young fields. Where captures exceed 200 to 300 adults per trap, treatment should be considered.

✓ **Anthraxnose:** Some anthracnose has been seen in scouted fields in about 2% of fruit clusters. Levels should increase some over the next several weeks.

SEE INSECT TRAP COUNTS ON PAGE 6 AND PEST MAPS ON PAGE 7

## Insect Trap Counts\*

### Tree Fruit - Southern Counties

Week Ending	AM	CM	LPTB	OFM	OFM-A	PTB	STLM	TABM-A	TABM-P	DB
1-Jun		1.17	76.20	4.16	10.50	0.40	74.75	48.88	47.38	
8-Jun		6.00	62.83	8.27	17.00	2.50	737.50	48.31	41.66	
15-Jun		6.11	84.00	20.25	39.50	1.50	1600.00	26.07	43.97	25.00
22-Jun		6.65	68.94	31.15	31.50	6.25	400.00	25.70	41.97	40.00

\*Due to data availability, tree fruit pests are mapped for southern counties only.

### Atlantic Co. Blueberry Trap Averages

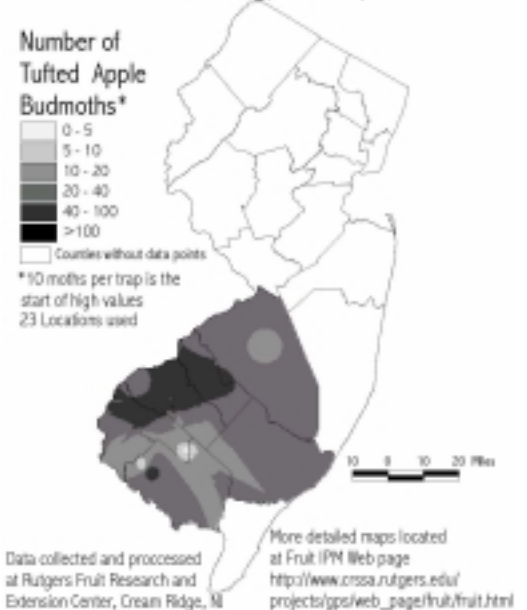
WEEK END	CBFW	RBLR	OBLR	SNLH	OR BEET	BBM
3-Jun	2.66	0.19	13.67			
10-Jun	0.94	20.22	14.00	0.10	10.00	0.00
17-Jun	0.44	102.88	1.50	0.42	428.64	0.01
23-Jun	0.32	146.73	0.00	0.37	1042.33	0.02

### Burlington Co. Blueberry Trap Averages

WEEK END	CBFW	RBLR	OBLR	SNLH	OR BEET	BBM
3-Jun	26.68	0.50				
10-Jun	11.40	0.14	4.00	7.27	30.00	0.00
17-Jun	4.09	12.29	4.00	11.62	75.57	0.15
23-Jun	4.73	94.43	3.00	8.02	600.13	0.06

SEE PEST MAPS ON PAGE 7

Tufted Apple Bud Moth Distribution Map  
Week ending, June 22, 2001



## Western Cherry Harvest is in Full Swing

*Win Cowgill, Area Fruit Agent*

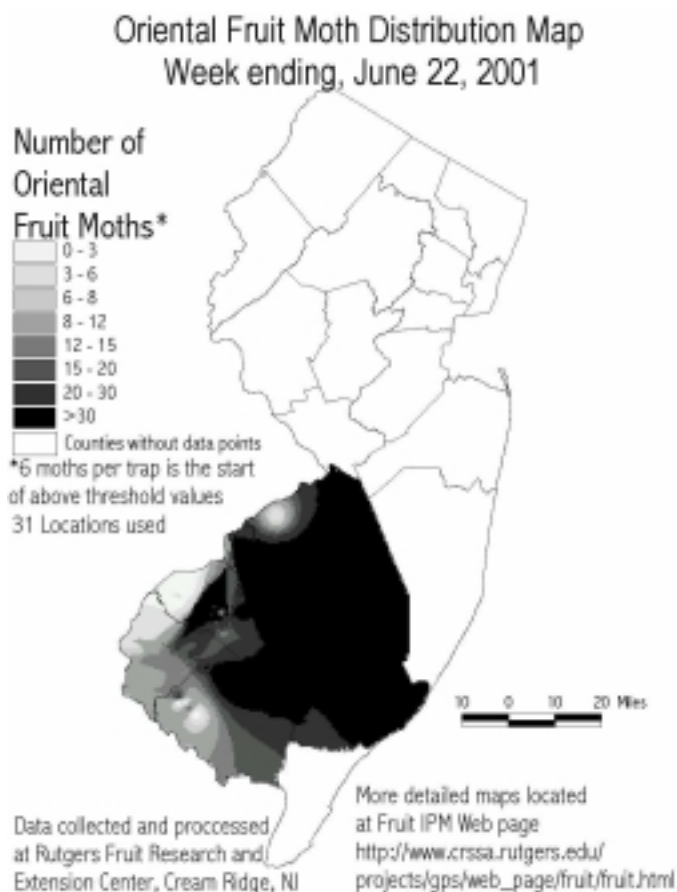
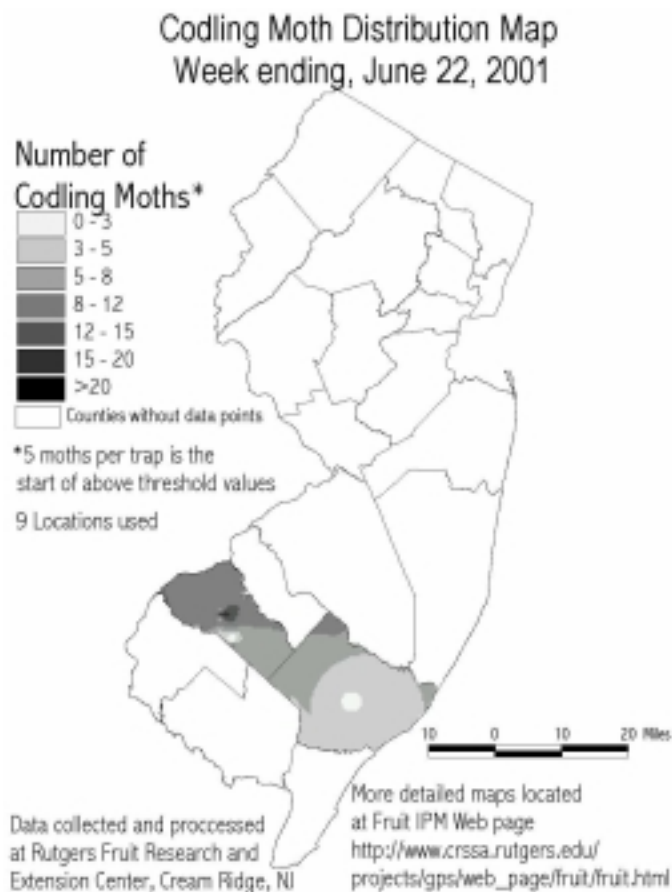
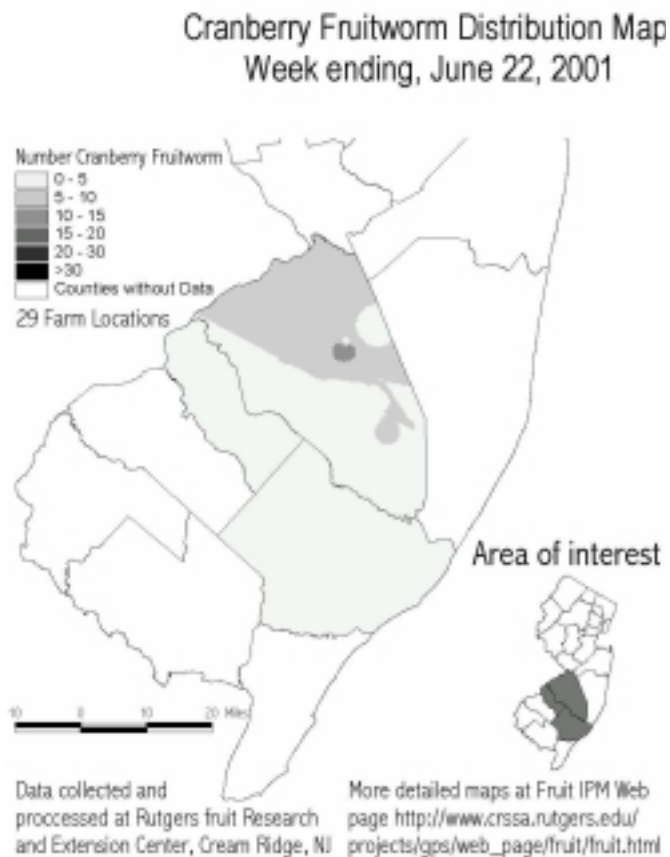
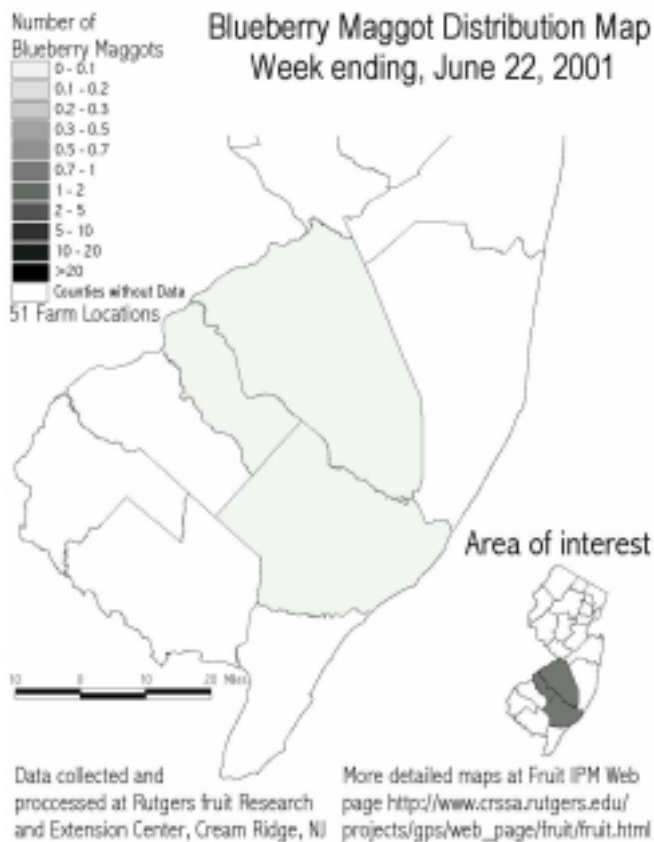
A major part of US sweet cherry production for the fresh market comes from the desert areas of Oregon and Washington. Growers participating in the International Dwarf Fruit Tree Tour had a first hand look at sweet cherry production in the Dalles region of Oregon last week. The Dalles area has approximately 8,500 acres of sweet cherries, 605 of which go to fresh markets. With only 10 inches of annual rainfall, the desert climate of the Dalles and the other areas on the dry side of the Columbia Basin are perfect for growing sweet cherries. Harvest of Bings is just beginning. One tenth of an inch of rain in the Dalles area on Monday apparently caused no cracking damage to the cherries and harvest continues.

A little further up the Columbia River in Washington State, cherry harvest is just beginning. Gary Snyder of C & O Nursery & Orchards reports "Chelan

cherries were picked in the Wenatchee District, June 20. Tieton cherries were picked 3 days later. Bing harvest is this week. Most Bings being picked around the Wenatchee area are being skimmed around the edges and tops of the trees. The prices are good and sheds are asking for the fruit. The crop looks good. High demand with early supply short and good quality equals high prices. Most of the early big money is for export shipments."

For a complete report of the IDFTA tour with color photographs of cherry and pear production, visit the IDFTA website at: <http://www.IDFTA.org>.

This week in Hood River, Oregon 175 scientists, extension workers and growers are gathered at the 4<sup>th</sup> International Cherry Symposium. Topics include all aspects of cherry production but of most interest to New Jersey growers will be the information on new varieties, rootstock performance, and crack prevention. Cherry growers in New Jersey are having a tough time with cracking and disease control this year due to the wet weather. More on the symposium at a later date. □



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