



Merrill Blueberry Farms, Inc.



Fresh Frozen Wild Blueberries
P.O. Box 149, Ellsworth, Maine 04605
PHONE: 207-667-9750 207-667-2541 FAX: 207-667-4052

4/6/2021

Todd Merrill, President of Merrill Blueberry Farms, Inc. Testimony in OPPOSITION to LD 1022: An Act To Make Agricultural Workers and Other Workers Employees under the Wage and Hour Laws

Senator Hickman, Representative Sylvester, and esteemed members of the Committee on Labor and Housing: Merrill Blueberry Farms is one of 6 wild blueberry grower/processors in the state. We manage 1600 acres of wild blueberry land in Hancock and Waldo counties. We harvest using both tractors and hand-raking. In our processing plant, we wash, freeze, and pack millions of pounds of wild blueberries each August. Merrill's houses and employs about 80 seasonal agricultural workers, most of whom are migrant workers. Since age 11, I have been a raker, a field boss, and a general factory worker. Now, as President of Merrill Blueberry Farms, I am responsible for everything from the harvest to the final sale of our Maine wild blueberries. Here are some reasons why I believe LD 1022 will be detrimental to every grower of wild blueberries in Maine.

- Wild blueberry harvesting is considered "Piece-work". Harvest workers get paid per box of wild blueberries they hand-rake, or per pound for machine-harvested berries. Every person works at different speeds with different skills. An experienced, strong worker can rake 100-200 boxes of wild blueberries in a day. Another worker may only rake 20-30 boxes under the same raking conditions. On the weekends, some of my factory workers like to go raking to earn some extra money. They do not work as hard as the full-time hand-rakers, because it is just to earn a little bit more money, to work outside, and to be with their family members. So, they work at a much more leisurely pace. Rakers often take their personal vehicles to fields, arrive and leave when they like, sit in their cars or in the shade when it is too hot, talk on their phones, and ultimately work at their own pace. Some come back to the field in the evenings when it is cooler. If LD 1022 passes, I would be forced to hire and keep only the best rakers, and limit breaks.
- Weather is a huge factor in harvesting. Agricultural workers (particularly tractor-harvesters) may work 12-14 hour days while it is sunny because they never know when it will rain, and cause a day (or days) of no work. The crop has to be harvested quickly in August, because there are a finite number of berries, and the cold September nights will kill any berries still on the vine. It is difficult enough as it is to find skilled tractor drivers. With LD 1022 requirements, I would be forced to limit their hours worked to 40 per week, resulting in Merrill's reducing the amount of land we would manage, because of limited harvesting capacity. This would ultimately mean more wild blueberry land would be taken out of production in the state.
- This will no doubt accelerate the switchover from hand-raking to mechanical harvesting wild blueberries and other fruits and vegetables in Maine. Or, agricultural land that requires manual labor will be taken out of production, sold as house lots, turned into gravel pits, or used for alternative sources of income like solar. Only the largest growers with the most land will survive.
- LD 1022 will put small wild blueberry growers and field owners out of business. In my estimation, the manual harvest cost per pound to a grower would increase between \$.05/pound and \$.10/pound. This added labor cost would be an instant loss to growers, who have already been struggling to survive the past 6 years with low field prices.
- On the selling end, up to 100 million pounds of Maine wild blueberries harvested annually are sold world-wide as a commodity. Maine wild blueberries have to compete with other fruits for a place in cereal bowls, smoothies, yogurts, muffins, or pies. Wild blueberries' greatest competition is cultivated blueberries, from both the US and foreign countries. If Maine agricultural worker wages were subject to higher hourly rates and overtime, it would raise the cost to harvest and process wild blueberries. I can't pass off the increase in costs in the selling price to my customers, because of competition from other similar national and foreign commodities. If the price of wild blueberries is too high, ingredient buyers will just use more strawberries instead of wild blueberries, buy Canadian wild blueberries, or switch to cultivated blueberries. And, because they could not be sold at a higher price, the grower would have to absorb the increased harvest costs, and the processor would have to absorb the increased processing cost. Lose, lose. At the local level, prices will increase for fresh foods like wild blueberries, strawberries, apples, and vegetables sold by small local farms at farmer's markets, roadside stands, or local grocery stores.

Thank you for your time and consideration.

Todd Merrill, President, Merrill Blueberry Farms, Inc.

Todd Merrill
Merrill Blueberry Farms

4/6/2021

Todd Merrill, President of Merrill Blueberry Farms, Inc. Testimony in OPPOSITION to LD 1022: An Act To Make Agricultural Workers and Other Workers Employees under the Wage and Hour Laws

Senator Hickman, Representative Sylvester, and esteemed members of the Committee on Labor and Housing: Merrill Blueberry Farms is one of 6 wild blueberry grower/processors in the state. We manage 1600 acres of wild blueberry land in Hancock and Waldo counties. We harvest using both tractors and hand-raking. In our processing plant, we wash, freeze, and pack millions of pounds of wild blueberries each August. Merrill's houses and employs about 80 seasonal agricultural workers, most of whom are migrant workers. Since age 11, I have been a raker, a field boss, and a general factory worker. Now, as President of Merrill Blueberry Farms, I am responsible for everything from the harvest to the final sale of our Maine wild blueberries. Here are some reasons why I believe LD 1022 will be detrimental to every grower of wild blueberries in Maine.

- Wild blueberry harvesting is considered "Piece-work". Harvest workers get paid per box of wild blueberries they hand-rake, or per pound for machine-harvested berries. Every person works at different speeds with different skills. An experienced, strong worker can rake 100-200 boxes of wild blueberries in a day. Another worker may only rake 20-30 boxes under the same raking conditions. On the weekends, some of my factory workers like to go raking to earn some extra money. They do not work as hard as the full-time hand-rakers, because it is just to earn a little bit more money, to work outside, and to be with their family members. So, they work at a much more leisurely pace. Rakers often take their personal vehicles to fields, arrive and leave when they like, sit in their cars or in the shade when it is too hot, talk on their phones, and ultimately work at their own pace. Some come back to the field in the evenings when it is cooler. If LD 1022 passes, I would be forced to hire and keep only the best rakers, and limit breaks.
- Weather is a huge factor in harvesting. Agricultural workers (particularly tractor-harvesters) may work 12-14 hour days while it is sunny because they never know when it will rain, and cause a day (or days) of no work. The crop has to be harvested quickly in August, because there are a finite number of berries, and the cold September nights will kill any berries still on the vine. It is difficult enough as it is to find skilled tractor drivers. With LD 1022 requirements, I would be forced to limit their hours worked to 40 per week, resulting in Merrill's reducing the amount of land we would manage, because of limited harvesting capacity. This would ultimately mean more wild blueberry land would be taken out of production in the state.
- This will no doubt accelerate the switchover from hand-raking to mechanical harvesting wild blueberries and other fruits and vegetables in Maine. Or, agricultural land that requires manual labor will be taken out of production, sold as house lots, turned into gravel pits, or used for alternative sources of income like solar. Only the largest growers with the most land will survive.
- LD 1022 will put small wild blueberry growers and field owners out of business. In my estimation, the manual harvest cost per pound to a grower would increase between \$.05/pound and \$.10/pound. This added labor cost would be an instant loss to growers, who have already been struggling to survive the past 6 years with low field prices.
- On the selling end, up to 100 million pounds of Maine wild blueberries harvested annually are sold world-wide as a commodity. Maine wild blueberries have to compete with other fruits for a place in cereal bowls, smoothies, yogurts, muffins, or pies. Wild blueberries' greatest competition is cultivated blueberries, from both the US and foreign countries. If Maine agricultural worker wages were subject to higher hourly rates and overtime, it would raise the cost to harvest and process wild blueberries. I can't pass off the increase in costs in the selling price to my customers, because of competition from other similar national and foreign commodities. If the price of wild blueberries is too high, ingredient buyers will just use more strawberries instead of wild blueberries, buy Canadian wild blueberries, or switch to cultivated blueberries. And, because they could not be sold at a higher price, the grower would have to absorb the increased harvest costs, and the processor would have to absorb the increased processing cost. Lose, lose. At the local level, prices will increase for fresh foods like wild blueberries, strawberries, apples, and vegetables sold by small local farms at farmer's markets, roadside stands, or local grocery stores.

Thank you for your time and consideration.

Todd Merrill, President, Merrill Blueberry Farms, Inc.