

THE PIPELINE

Mid-Winter Maple Conference: New Venue, Great Reviews

**NYSMPA
2019
Mid-Winter
Classic
Highlights**

PAGE 4



A Message from our President

New York State Maple Producers Association, Inc.

Board of Directors

Tony VanGlad, *President*
Stamford, 607-652-7590

Karl Wiles, *Treasurer*
Syracuse, 315-559-7630

Mandi Burnison, *Secretary*
Attica, NYSmaplesecretary@gmail.com

Michael Grottoli
Middle Granville, 518-642-2856

Dwayne Hill
Harpersfield, 607-652-6792

Michael Bennett
Glens Falls, 518-222-4990

Hugh Newton
Potsdam, 315-265-7397

Eric Randall
Alexander, 585-547-3596

Nadeen Lyndaker
Lowville, 315-346-6829

Scott St. Mary
Malone, 518-483-6270

Douglas Thompson
Gouverneur, 315-287-0024

Don Weed
Moravia, 315-497-3480

Haskell Yancey
Croghan, 315-346-6356

Greg Zimpfer
Attica, 585 591-1190

Joy Herfurth
Ellenburg Center, 518-569-5146

Office

Helen Thomas, *Executive Director*
office@nysmaple.com
301 Myron Road
Syracuse, New York 13219
315-877-5795
Fax: 315-488-0459
www.NYSMaple.com

Produced by
Zoey Advertising
936 N. Clinton Street
Syracuse, NY 13204
(315) 471-7700
zoeyadvertising.com
steve@zoeyadvertising.com



TONY VAN GLAD

Happy Spring, everyone!
What a maple season! My barometer for the end of the season is those cursed PEEPERS - within hours you are done. They started singing loud on April 7th for me. Catskill Region had a very good year. The weather was just right: sloppy wet snow and very muddy ground makes a good season. My sugar content was up this year, woods that usually test 2.0 were 2.4. I hear that many of you saw higher than average sugar content across the state – was it the sunshine last May and June? I hope it repeats this year. I think state-wide it was a good season, with quality being top shelf. The whole thing is just get out and do it!

The Maple Conference in Syracuse Jan 4-5 was a great success. The horticulture buildings on the fairgrounds proved to be a wise choice. Easy access for vendors to load and unload their equipment. I even saw small trucks drive in for vendors to load and unload right at their booth spot.

We had 1,120 guests attend the event, a record! The classes were excellent and sessions were packed with producers eager to learn. I would like to thank Keith Schiebel and all the FFA students from across New York for their efforts and hard work. The Cornell Maple Team: Steve Childs, Pete Smallidge, Aaron Wightman and Adam Wild are to be commended for their excellent workshop sessions! And thanks to all the experts from across the US and Canada who shared their knowledge, too.

The Maple Conference was at a new venue, which brought new challenges. Keith and Steve handled the bumps well, and they are planning for an even bigger and better event next year. Make plans to attend – January 3 & 4, 2020 at the NY State fairgrounds – and bring your friends!

The Lobby Day Teams had an excellent day on February 11. We had four teams of members* who volunteered their day in Albany to tell legislators the story of maple. Information packets filled with details about what NYS Maple Producers' Association has accomplished throughout 2018 were handed to over 50 legislators – several were newly-elected legislators this year. Our teams enjoyed discussions about making and selling maple products with the legislators and their staff. Thanks to Dwayne Hill and Helen Thomas for organizing the teams and the event. Additional thanks to the volunteers on those teams. We appreciate the assistance arranging and attending the appointments provided by Jeff Williams and his staff of the NY Farm Bureau.

The great news is – their hard work paid off! This year's NYS budget includes funding for maple at the same level as last year - \$225,000 for promotion and education (projects managed by the state association) and \$125,000 for the research (project of the Cornell Maple Program). In addition, we were allocated funds to develop a mobile maple exhibit that can be shared by all maple regional associations and used with multiple student groups as presenters. Now that the season is done, it's time to clean and put away all that equipment. Make a list of supplies and improvements for your operations. There are always discounts from the maple supply companies in the spring. Have a happy, healthy spring and summer. Most of all – SELL OUT!

Tony Van Glad
President NYSMPA

*Lobby Day 2019 Team

NAME	FARM	REGION
Mike Bennett	Tap Hole Maple	Upper Hudson
Mike Kenny	Sweeter Creations	St. Lawrence
Debra Kenny	Sweeter Creations	St. Lawrence
Dwayne Hill	Shaver Hill Maple	Catskill
Steve Rogers	Bear Creek Farm	Lewis
Kristina Copeland	Merle Maple	WNY
Chris Welch	Riverside Maple	Catskill
Deidra Hill	Shaver Hill Maple	Catskill
Cristy Williams	Dutch Hill Maple	Central
Greg Zimpfer	Zimpfer Maple	WNY
Karl Wiles	CedarVale Maple	Central
Tony Van Glad	Wood Homestead Maple	Catskill
Michael Spicer	Dunbar Maple	Central
Ben Simons	Oneida County Farm Bureau	Oneida
Keith Schiebel		Lewis
Helen Thomas	NYSMPA	

HELP US KEEP YOU INFORMED!

We send frequent emails to the entire membership to let you know of things happening in the maple world.

IF YOU DID NOT GET THEM, do the following:

Send an email to office@nysmaple.com. This will tell us your current email address. It's possible that our records may need to be updated! Check your spam for: office@nysmaple.com and info@nysmaple.com. We use these two email addresses to send you the latest news. If your spam filter has them blocked, you will not receive our communications.

Guidelines to NYS regulations for food licensing for maple

By Helen Thomas. reviewed by John Luker, assistant director Food Safety, NYS department of agriculture & markets

It is the opinion of the board of the NYS Maple Producers Association that we, in New York state, are very fortunate to have an exemption in our NYS agriculture regulations allowing minimal or no licensing for many of the maple food products that we make and sell. We also believe that it is the responsibility of each producer to comply with the existing regulations to prevent a situation that causes a question or problem with the food produced, which could lead to tighter regulations, inspections, and fees.

The list below is a summary of 2019 NYS food regulations as they apply to most food maple producers make. Read this list carefully – it may have changed since you last reviewed it

THESE PRODUCTS THAT ARE PACKAGED FOR RESALE CAN BE PRODUCED IN YOUR NYS SUGARHOUSE WITH NO LICENSE REQUIRED:

- Products that are pure maple with no added ingredient: Maple syrup, maple sugar, maple spread (“cream”)
- Maple syrup that has infused flavors such as bourbon barrel-aged syrup, as long as the added ingredient is not capable of supporting the growth of infectious or toxigenic organisms and does not change the identity of the product (i.e. remains maple syrup).

THESE PRODUCTS THAT ARE PACKAGED FOR RESALE CAN BE PRODUCED IN YOUR HOME KITCHEN WITH A KITCHEN EXEMPTION LICENSE THAT LISTS THE PRODUCTS:

(They can also be made in a 20-C kitchen as long as the license lists those products specifically)

- Maple coated nuts
- Maple breads, cookies, and other baked goods (but no dairy-based frostings)
- Maple fudge
- Maple granola
- Maple popcorn
- Maple peanut brittle
- Maple lollipops or hard candy
- Maple jelly
- Seasonings that use dry herbs and maple sugar – for example, maple pepper.

You need a 20-C license for:

- When you buy syrup from other producers to repack in your facility or use as an ingredient in products you make
- Maple spread that has added ingredients, such as cinnamon or raspberry
- Maple mustard
- Maple barbeque sauce or other low-acid preparations
- Anything with dairy ingredients
- Maple sap packaging
- Maple salad dressings or vinegars
- Anything chocolate coated
- Maple cotton mix
- Maple cotton packaged for resale

PET FOODS with maple require a NYS Pet food registration.



SHARED 20-C FACILITIES

Another question people ask – Can I use a 20-C facility that belongs to another business or entity to make my products? The 20-C license is not for the facility, it is for the business named on the license and the products they are licensed for. In general, NYS can license more than one operator in a commercial facility. However, only one licensee can operate in the facility at a time.

If someone manufactures a product under another license, the actual holder of the license is assuming all liability for the product(s) produced. Essentially, the manufacturer is a contractual employee of the licensee.

QUESTIONS?

Another benefit for producers in NYS: the Food Safety division group at NY Ag & Markets is always ready to answer questions if you are not sure. You can contact John Luker, assistant director, personally. If you prefer, you can refer your question to the state association and we will take your question to him. His contact information is below.

John M. Luker, Assistant Director
New York State Department of Agriculture and Markets
Division of Food Safety and Inspection
10B Airline Drive, Albany, New York 12235
(518) 457-5382 John.Luker@agriculture.ny.gov
<http://www.agriculture.ny.gov>



NYSMPA Mid-Winter Classic Highlights Food, Fun and Education!



Wolcott Maple Equipment & Supplies



Offering The Latest In Technology:

Evaporators, Reverse Osmosis, Vacuum Systems, Tubing supplies and fittings, Assorted style containers: Colonial, Sugar Hill, Glass, Marland Instruments: Auto-draw-off, thermometers, West Fab filter presses and equipment

WANTED: Bulk Maple Syrup
Give us a call for the latest prices!

585 786-3893

Douglas & Charlotte Wolcott

Add something different to your product line.

Maple Coated Dog Biscuits

I have the license, I get the analysis done, all you have to do is package them and enjoy the profits. Yes in New York State you have to have a license to coat dog biscuits with Maple Syrup!

Greg Zimpfer
3028 Merle Rd
Altica, NY 14011
(585) 591-1190
grzimpfer@gmail.com

Call, text or email me for pricing. I can package them in packages of 4 biscuits to a package or bulk, package them yourself and save money.



International Maple Conference comes to New York State in 2021



The International Maple Syrup Institute, IMSI, and North American Maple Syrup Council, NAMSC, are looking to the New York Maple Producers' Association and the Empire State I LOVE NY! to host their annual fall meeting in October of 2021. The three-to-five day affair features business meetings for both IMSI and NAMSC, technical and

marketing workshops, an industry-based trade show, and tours of both local attractions and maple operations located in the region.

As hosts of this prestigious conference, NYSPMA is seeking volunteers to serve on a planning committee to select a host site, publicize the event throughout the maple world, coordinate all conference logistics

and host a "Taste of New York" banquet. Committee volunteers must be members of NYSPMA but need not be serving as a regional or state association officer. The conference annually attracts more than 400 participants from 20 states and Canadian provinces. The 2019 conference is slated for October 21 – 24, 2019 in Duluth, Minnesota. The 2020 conference is slated for October 20-23 in LaCrosse, Wisconsin.

Over the next four months, this committee will solicit applications from state regions interested in hosting the event, score the applications, visit potential sites, set conference dates and select the host city.

Announcement of the selection will be made in late-summer and promoted at this fall's convention. If interested in serving on this committee, please contact Keith Schiebel via email at kschiebel@tds.net.





Add to YOUR product line ...

24# box Granulated Maple Sugar
33# box Maple Cotton Candy Mix

Maple Cream – Traditional, Robust, Cinnamon, Raspberry or Bourbon, Bulk Coated or Uncoated Maple Sugar Shapes, Bourbon Maple Syrup, Maple BBQ Sauce, Maple Hot Sauce, Hot or Sweet Maple Mustard, Maple Garlic Seasoning and Maple Fudge

Purchase with our label or unlabeled so you can add your own.

Merle Maple LLC – Attica, NY 585-535-7136
lyleanddottie@merlemaple.com

Countryside Hardware

Serving The Maple Industry For More Than 60 Years!



sugarhill
HARDWARE

MAPLE SYRUP EQUIPMENT & SUPPLIES
Open 7 days a week for your convenience,
Hour: Mon—Fri 8-5,
Sat 8-4, & Sun 10-2
or
Shop 24hr a day at our website:
countrysidehardware.com

 [facebook](https://www.facebook.com/sugarhillhardware)
 



1712 Albany Street
P.O. Box 409
DeRuyter NY, 13052
Phone: 315.852.3326 or
315.852.3327
Fax: 315.852.1104

Email:
countryside_hardware@yahoo.com

Fast turn around shipping with UPS daily.



Have you seen these billboards?

For the past three years, we have used some of the promotion money from NYS to advertise NY Pure Maple on billboards. We select billboards that have a reasonable number of people driving past them, and yet for one reason or another are available at a low enough cost we can get billboards up across the entire upstate area.

Many of the billboards were placed at locations the regional officers personally selected – for example, the Oneonta and Plattsburgh locations. Let us know if you saw one of the billboards in your area. If you have a location you think would be effective for next year, give the address and the name of the billboard company to your regional board member or send it the state association office.

Below is a list of billboards running this Spring, with a sample of what the board looks like.

LEWIS REGION

Route 11: Two miles east of Route 58 near Gouverneur
I-81S: 1/2 mile north of exit 44; Watertown

CNY/LEWIS REGION

I-81N: viewed going northbound from downtown Syracuse

WNY REGION

Batavia Rte. 63 north of town
Goodell and Maple Streets; downtown Buffalo
Route 96 east of Route 21; Manchester

CATSKILL REGION

Interstate 88; downtown Oneonta
Route 28: 3 miles west of I-87; Kingston

UPPER HUDSON REGION

Digital board, Route 9; Clifton Park
Route 7; Raymertown

NENY REGION

County Route 24; Malone
Digital board SUN Publishing; downtown Plattsburg



Research project looks to benefits of re-tapping



Ryan Nerp, a technician at the Cornell Uihlein Maple Research Forest in Lake Placid, sets up sap collection canisters for a research project to look into benefits of re-tapping a maple tree to prolong sap flow. Funding for the project was provided through the Northern New York Ag Development Program.

2019 Cornell Maple Camp

July 23- 26, 2019

Cornell University Arnot Teaching and Research Forest
Cornell Cooperative Extension of Schuyler County

Cornell Maple Camp provides intensive, hands-on training for beginner and less experienced maple producers. The 4-day curriculum begins with sugarbush assessment, then builds sequentially through all phases of maple syrup production from sap collection to boiling, bottling and sales. Participants will gain the skills necessary for the safe, efficient and profitable production of maple products. Classroom sessions will be held in the Schuyler County Cornell Cooperative Extension office in Montour Falls. Field sessions will take place in the Arnot Teaching and Research Forest in Van Etten. The cost for the training and meals is \$250 per person. A group discount is available at the rate of \$250 for the first registrant and \$200 for each additional registrant. Additional information and the online registration are available at the links below. Contact Aaron Wightman at arw6@cornell.edu with questions or comments.

Registration here: https://cornell.qualtrics.com/jfe/form/SV_e5y3aB9tQETjKrH

Agenda here: <https://blogs.cornell.edu/cornellmaple/files/2015/03/2019-Cornell-Maple-Camp-Agenda-2-27cx1uy.docx>

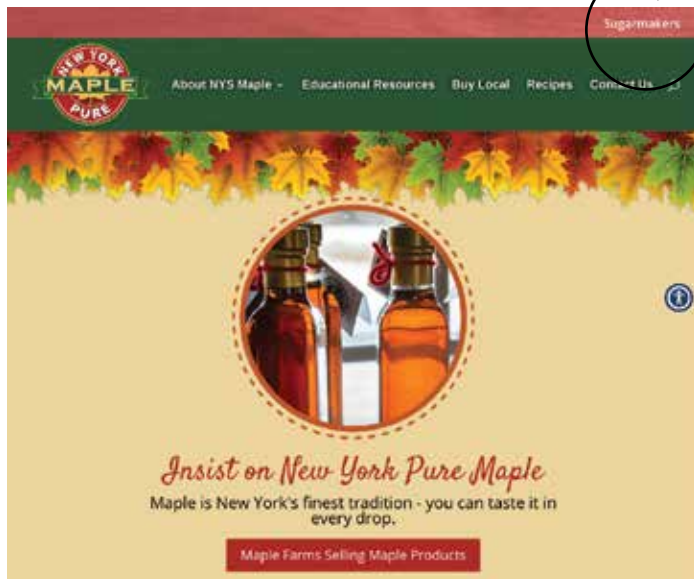
NYSMaple.com has changed!

In response to the need for DISABILITY changes on our state website, you will see some major changes on nysmaple.com. (See the article on page 10 about website ACCESSIBILITY.)

The most noticeable for our members is that we have created a member login. Many of the forms and articles we create for members will not pass the accessibility tests. It was more economical to create a member login in front of these items, so that we do not have to make every item compliant.

You should have received an email or USPS mailed letter with your login userid and password. If you did not, or have misplaced it, your userid is your personal email if you have given us one. You can always say "forgot password" to reset your password if you don't know it. If you have any trouble logging in, don't hesitate to contact Helen at 315 877-5795, she can help you solve the problem.

A benefit of this new membership login is that membership renewal and payment is available online. When your membership approaches expiration, we will send you a notice and if you prefer, you can use the online form to renew instead of sending a check.



We're looking for a few sweet people!

Are you good at leading or organizing groups? Would you like to get more involved with helping the state maple association?

After maple season, the work isn't done – the NYS Maple Association works all year long to meet the goals of its membership. If you would like to help with our mission, we probably have a volunteering spot that is a good fit for your interests. Some of these roles require only a few hours on telephone conference calls each year. Others, like the position of state board member, can require attendance at several meetings a year.

Please consider the following roles to fill:

Regional Association Officer. All seven regions have president, vice president, secretary and treasurer roles to fill. Additionally, each region has two board members and two alternates to represent them at the state association.

Regional committees. These committees vary from region to region, and can be anything from county fair planning committees to advisory committees for maple weekend advertising and marketing.

Lobby Day. This position is always in February in Albany.

State Fair Planning. This committee meets via conference call to discuss the upcoming Fair.

State Fair Maple Day Volunteer. Volunteer to work at the Fair on Maple Day, August 26th.

International Maple Conference 2021. Help plan the International Maple Conference that New York state will host in 2021.

Your own suggestion!

We consider all suggestions for new opportunities you'd like to coordinate.



Mill Creek Maple Supply

Maple Sugaring Equipment & Supplies

David K Norton, Proprietor

1551 County Highway 20

Edmeston, NY 13335

Fully Stocked Store Location

Hours: M-F 8-4:30

After Hours & Saturday: Call Dave at 607-435-8539

607-965-6920

Email: millcreekmaple@yahoo.com

Like us on facebook at: Mill Creek Maple Supply



Complete Reverse Osmosis Systems

Starting at \$300



E-mail: sales@therobucket.com

www.therobucket.com



Maple Weekend 2019 a huge success!



"Social media ads by New York State Maple were great!"



"Great to see so much advertising around WNY on billboards, TV, etc. Thank you!"



"The tattoos were great added features for the kids and kids at heart!"



"This was our best Maple Weekend yet. Thank you for your part in it! =D"

"Recipe pads were very well received!
Overall, great 2 weekends."



Maple Weekend



"You guys do an awesome and
unbelievably good job. Keep it up!"

182 locations participated!

ATTENDANCE: 43% reported an increase in visitors from last year – with almost half saying it was significantly more. 30% reported about the same number of visitors.

SALES: mirrored attendance 45% reported better sales, with almost half reporting significantly better sales. 35% reported sales about the same.

The media loved us and the Maple Weekend event – 60% of our participants reported that at least one local media featured them in an article or interview.

That's astonishing free publicity!



"We met many new people, sold many
products, and educated all who attended."



"We really enjoyed participating and
can't wait for another exciting year!"





NYSMPA Out and About



A) Maple Weekend 2019 tapping ceremonies: with Assemblyman Brian Miller and Maple Queen; B) with Senator Jen Metzger and Ag & Markets commissioner Richard Ball at Finding Home Farm in Middletown; C) with Assemblyman Ken Blankenbush at the International Maple Museum in Croghan. Caitlin Boice at the Tibbitts Farm in New Hartford; D - E) Lobby Day in Albany, NY with FFA students from Mt. Markham and Beekmantown with NYS Deputy Ag Secretary Pat Hooker; with Senator James Seward; F) with Senator Griffo; G) with Senator Montgomery and Commissioner Richard Ball; H) with Assemblyman Billy Jones, I) with Senator Patty Richie.

NYSMPA Maple Weekend Advertising and Marketing Efforts Summarized

The following is a summary of the 2019 advertising and marketing efforts and purchases by the NYSMPA for the 2019 Maple Weekend season:

Radio:

- WRIP • WRVO • NCPR • WGNA

Print ads:

- Watertown Daily Times - ads in five issues of the paper, which prints 22,000 copies
- Lake Champlain Weekly (2 weeks) full page ad (color)
- Catskill My Shopper – inserts in 10,540 papers
- Franklin Pennysaver

In addition, media press kits were delivered to 50 media outlets, which helped drive some of the “free” coverage received when media visited producer locations to tell their story.

The state association paid for posters, postcards and tattoos which were provided to any participant who requested them.

The largest state expenditure was for social media posts and ads during the months of February and March. When possible, posts from members were reposted on the Maple Weekend and NYS Maple facebook pages. Results: Reach (The number of people who saw the ads): 331,605, Frequency (The number of times, on average, someone saw our ad): 3.295236803, Page Likes: Up 4,460, Impressions (The number of times the ads were viewed): 1,092,717.

Catskill Region – added funds to those from participants for:

35,000 brochures - print and distribute

Central Region – used participant funds for: Advertising on WSKG

St. Lawrence – participant funds were combined with Lewis region for: Watertown radio.

Lewis Region – added funds to those from participants for:

5,000 brochures

Print ads:

- Rome Sentinel
- Lowville Journal & Republican
- Carthage Republican Tribune
- Oswego Shopper
- Valley News, Paladium Times
- Oswego County Advertiser

Social media:

Online ads watertowndailytimes.com and oswegocountynewsnow.com

Radio ads:

- WFRY • The MOOSE

NENY Region – added funds to those from participants for:

5,000 rack cards, 1,000 Basket inserts

Print ads:

- Malone telegram online
- Free trader online
- The Sun (43,800 copies)

Radio:

- Moose country

Social media: NENY facebook page

WNY Region – added funds to those from participants for:

- WPIG-FM • WGRZ-TV • WIVB-TV
- WNLO-TV • WHEC-TV

Upper Hudson Region - added funds to those from participants for:

6,000 rack cards, done in 4 sub-regions

Print ads:

- Edible Capital full page ad
- Lakes free Region Press
- Whitehall Sentinel
- Capital Area Pennysaver,
- Adirondack Chronicle
- Fulton County Observer
- Eastwick Press & 2 others

TV ads:

- NBC channel 13

Radio ads:

- Bug Country
- Froggy 100.3

Social media: posted for two weeks on Facebook

In addition, there was much “FREE” media coverage of the event. All regions coordinated with government and other not-for-profits to maximize things such as poster displays, appearances on talk shows and news segments. The ad agency the state uses, Zoey advertising, and our own Maple weekend coordinator Keith Schiebel, as well as executive director Helen Thomas, personally visited over 50 participating locations between them to take photos for next year publicity. A record 60% of our participants reported that their local media featured them in some fashion...TV, print, or online.

Ioka Valley Farm
— SINCE 1936 —
Business and Bulk maple accounts accepted

Over 25 years of sugaring experience
Ioka Valley Farm - Rob & Missy Leab
3475 Hancock Rd, Hancock, Ma 01237
(413) 441-5147
Call ahead for hours or to make appointment

CDL Inventory at our farm store

MAPLE SUGARING EQUIPMENT
The CDL way. The power of expertise.

SAGE FAMILY MAPLE, LLC
4449 Sage Road • Warsaw, New York 14569
(585) 786-5684
www.sagefamilymaple.com
sales@sagefamilymaple.com

Complete Maple Sugaring Equipment
Pure New York Maple Products
Authorized Leader Evaporator Distributor
Leader 30P Tubing Systems • Sugarhill Containers



Why isn't my website listed on NYSMape.com?



Over the last winter, a serious issue concerning websites operated by small businesses in NYS come to our attention. Legal firms have interpreted the websites as an extension of the retail space the business operates, and sued if the website is not ADA (Americans with Disabilities Act) compliant. They have targeted several wineries and the result has been \$10,000 settlements the wineries have had to pay.

We are concerned that we do not put any of our producers at risk. Therefore, we will **not** be listing your website on the contact information for your farm on NYSMape.com **unless** you tell us in writing that you wish to have it listed. To do that, you should notify the state association office. We wish this was not necessary but we do not want to put your farm at risk, so we will only display your web link if you give us permission.

In order to assist farmers across NYS, the Farm Bureau legal team has put together a guideline document. Please see the article below. The important takeaway is that you should ask your web programmer if they are familiar with ADA compliance regulations, and if your website is compliant.

A first step in achieving ADA compliance might be to use one of the free ADA aids available for websites. The NYSPMA website, NYSMape.com, includes the ADA tool from userway.org

Obligations Under the Americans with Disabilities Act for Business Websites

By Stephanie Hoppe Fedorka, Esq. sfedorka@bsk.com

For wineries, cideries, and other similar establishments, websites have become critical. You have spent years developing your product, and your website has become a primary method of marketing your product to plenty of consumers. However, what you may not realize is that your website could be exposing you to the latest line of attack by enterprising class action lawyers. A variety of businesses have recently come under legal attack for failing to ensure that their websites are accessible to individuals that are visually impaired. In October 2018, a visually impaired woman filed several class action lawsuits against

15 wineries, alleging that the wineries' websites were insufficiently accessible for individuals who are visually impaired, like her. The plaintiff in those cases is not the first, and certainly will not be the last to bring such actions against wineries, breweries, cideries, and other businesses. In order to better understand why these types of cases are on the rise and what this means for your business, it is important to understand the law at play.

Title III of the Americans with Disabilities Act

The Americans with Disabilities Act (the "ADA") is a federal law that affords protections to individuals with disabilities. Specifically, Title III of the ADA prohibits discrimination of people with disabilities in the "full and equal enjoyment of 'public accommodations.'" The language of Title III of the ADA reads in relevant part:

"No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation."

Only "places of public accommodation" are subject to the requirements of Title III of the ADA. To be considered a "place of accommodation," the entity's operations must "affect commerce," and it must fall within one of twelve categories outlined in the law. These include restaurants, bars, and establishments serving food and drink, hotels/places of lodging, movie theaters, auditoriums and convention centers, stores and shopping centers, and many other types of public places. Wineries, breweries, and other similar public establishments, generally fall within this definition and therefore are subject to Title III of the ADA.

While your retail store, tasting room, or other physical place must be accessible to people with disabilities, there remains a question about whether your business' website is also a place of public accommodation for purposes of Title III of the ADA. If it is, then you will be required to ensure that it is accessible, and you must consider what obligations your business has to ensure that your website is complying with the ADA.

Is your private business website covered by Title III of the ADA?

Unfortunately the answer to this question is not so black and white. Courts across the United States appear to be split in opinion with regard to whether and when websites are covered by Title III of the ADA. The Second Circuit Court of Appeals, which is the federal appeals court encompassing New York, Connecticut, and Vermont, has not yet made a controlling determination on whether a private commercial website is a place of public accommodation for purposes of Title III of the ADA. However, other federal courts within the circuit have addressed this question and have provided insight into how these cases are treated in NY.

Increasingly, cases from federal courts in New York have found that private commercial websites fall within the scope of Title III of the ADA, whether on their own or by virtue of the website's connection to a physical location. Those decisions have found that business websites are subject to the accessibility requirements of the ADA. Some of the recent cases in New York have involved a fast food restaurant, an art supply store, and a clothing and shoe retailer in addition to wineries.

This means that in light of these developments in New York, your business' website may be found to fall within the scope of the ADA, especially if it has some connection to your physical public location. As such, your business may be obligated to ensure that its website is accessible to the visually impaired. Put another way, at this point in time your winery's website has a good chance of being found to be subject to the requirements of the ADA, and therefore in an effort to avoid being sued, you should take steps to make sure that your website is sufficiently accessible to those who are visually impaired.

What are the obligations of commercial businesses that have websites, and how can they comply with the requirements of the ADA?

Title III of the ADA prohibits commercial entities from failing to take appropriate steps to ensure that the visually impaired have "full and equal enjoyment" of the goods, services, privileges, advantages,

facilities, or accommodations of their website, so long as the appropriate steps do not impose an "undue burden" on the company, or fundamentally alter the website. Whether taking certain measures is an "undue burden" will depend on the specific circumstances.

Unfortunately, to date there are no official minimum accessibility standards or guidelines imposed on private businesses by law. However, the standards that are imposed on federal agencies provide guidance on what may be sufficient for purposes of compliance with the ADA. Federal agencies are legally required to comply with the "Website Accessibility Guidelines," "WCAG" or "WCAG 2.0" at the AA Level. These guidelines which are promulgated by the World Wide Web Consortium (commonly referred to as the W3C),

provide criteria for various levels of accessibility for individuals with disabilities, including visual impairment ("A" – "AAA", A being the lowest conformance level and AAA being the highest).

While the WCAG 2.0 guidelines offer some guidance for businesses, they are not binding rules. The United States Department of Justice previously promised to adopt WCAG 2.0 Level AA as the standard for website accessibility.

However, the current administration has moved the regulation to the "inactive list," and there is no further indication that this action will proceed at this time. Notwithstanding, these guidelines still prove to be an excellent benchmark for accessibility and compliance with the ADA.

Courts have looked to the WCAG 2.0 standards in providing relief in these website accessibility cases. For example, in a Florida case, the Court required the defendant business to adopt and implement an accessibility policy that conformed to the guidelines of WCAG 2.0 as part of its injunctive relief. A New York case found the standards of WCAG 2.0 Level AA to be appropriate as part of a settlement agreement relating to the accessibility of the website. A copy of the WCAG 2.0 guidelines, released June 5, 2018, are available online here, <https://www.w3.org/WAI/standards-guidelines/wcag/>.



Wendel's Maple

...and more
Authorized Leader Dealer
Full Line of Equipment, Supplies and 30P Tubing

Also Stocking:
Marland Draw Offs & Controllers
Sugar Hill Containers, GBM Equipment
Indiana Vacuum Pumps, D&G Equipment

Custom Tubing Setup and Woodlot Consultations

East Concord, NY
(716) 592-2299

Nick cell (716) 954-3019
Marty cell (716) 954-3016

SHAVER-HILL MAPLE

310 Shaver Road, Harpersfield, NY 13786

Authorized Dealer of Leader
Evaporator Equipment
Fully-Stocked Equipment show room
Cardinal & Bluebird
basquaise bottles available

www.ShaverHillFarm.com

Now Available Wholesale
Maple Lollipops
Maple Drops
Maple Popcorn
Maple Peanut Brittle

607-652-6792



Cornell Maple Program UPDATES

2019/2020 NYSMAP Calendar of Upcoming Events

NYSMAP Calendar of Events 2019	
5/4	Green County Maple School, Greene County. Contact: Ron Frisbee, Agroforestry Resource Center, 6055 Route 23, Acra, NY 12405, Phone: 518-622-9820; frisbeer369@gmail.com.
7/12-14	New York State Maple Tour. Based at Erie County Fairgrounds, Western NY.
July	Cornell Maple Camp, Contact: Stephen Childs; slc18@cornell.edu.
8/21-9/2	New York State Fair
8/26	New York State Fair "Maple Day"
1/3/20-1/4/20	2020 Maple Classic Conference
2/10/20	Lobby Day - Albany, NY
3/21, 3/22 & 3/28, 3/29	Maple Weekend 2020

The New York State Fair is coming!

Consignment information will be mailed out in mid-June. Volunteer sign ups will start in July. It's not too early to start thinking about the Fair!

2019 New York State Maple Tour

The 2019 New York State Maple Tour will be July 12-14, Friday through Sunday, hosted by the Western NY Maple Producers Association and centered at the Grange Building on the Erie County Fairground in Hamburg NY. Maple operations in Erie and Wyoming County will be visited.

Tentative list of farms to visit includes:

Merle Maple Farm LLC
Ploetz Maple Syrup
Smith's Maple
Blesy Maple
Jake's Greenhouse & Market
Junior's Maple
MB Maple/Valley Maple
Janora Maple



The great news this spring is that the wheels are in motion to renovate and upgrade the sugar-making facility at the Arnot Forest at Cornell. The NYS Department of Ag & Markets and Governor Cuomo have committed over half a million dollars to finance the construction. This will allow the existing office/storage building to be totally renovated. The rebuilt building, close to 7000 square feet, will contain the "sugarhouse" as well as a fully equipped 20-C kitchen and office space for the research staff.

At this time, it appears construction will start in late fall 2019.

A fully-equipped 20-C kitchen will be an enormous boost to the research being done by the Cornell Maple Program Team. With enhanced research capacity on site the development of new value-added maple products will be significantly benefitted. Future ACER grant proposals will rely heavily on the expanded research capacity of the renovated sugarhouse and research kitchen.

Projects already in progress in cooperation with Cornell's Food Science department are: maple kombucha, several new maple soda formulations, some excellent maple wines and maple vinegar.

The team is also dabbling with yogurts, kefir, and other pilot projects which can be expanded to full projects in a 20-C research facility. Stay tuned for updates!



Maple wine trials, testing different sugar concentrations, yeast strains and yeast nutrient additives.



Research batch Maple Kombucha.

What's Shakin'?

Social media

is a great way to build a relationship with your customers. If you have a Facebook page for your business,

make sure we know about it! Check your NYsMaple.com listing to see if we need to add your Facebook page (or if any other information needs updating). Send any updates to info@nysmaple.com.

Also, be sure to **follow our NYS Maple and Maple Weekend** Facebook pages to keep up with all the maple happenings!



Thinking of Upgrading Equipments? Government Energy Grants are available

If you are looking to purchase new equipment, consider making it more energy efficient. Not only will it save you the cost of energy, but you may qualify for a federal grant from the USDA.

Types of equipment that may qualify: Evaporators, Steam-Away, Reverse Osmosis, Solar Panels, Wind Generators, Vacuum Pumps. If it is equipment that does not use energy (tanks, tubing, barrels) then it does not qualify.

USDA REAP grants may be applied for now through July. Awards will be made in or after October 2019, so that equipment could be in place by the spring 2020 maple production season. USDA NRCS EQIP grants may be applied for now through the summer. Awards will be made in January or February 2020, so it might be hard to have the equipment in place for the spring 2020 maple production season. REAP grants will cover 25% of the cost of qualifying equipment. NRCS EQIP can be 50-75% of the cost.

Either grant requires an energy audit. While you are free to use any energy auditor that is on the list supplied by the agency, the association recommends that you contact Dick Peterson of Northeast Agriculture Technology Corp. in Ithaca NY. Dick has done over 100 audits for maple equipment, so is very familiar with any maple energy utilization. You can reach Dick at 607-725-2741 or natc244@centralny.twcbc.com. His rates are very reasonable. If you do apply for REAP, the association can recommend a grant writer as well, contact the state office.

If you decide to apply: Do not purchase your equipment before submitting the grants application. Grants are NOT able to be used retroactively. Also, DO start the energy audit immediately. It takes several weeks to get the paperwork completed. The later you start, the more chance of missing the deadlines for filing.

Another note: starting producers often ask if there are grants available to establish their business. The short answer is no, but there is certainly assistance available in forms other than direct capital. Check with your county IDA to see if there are low-interest loans available.

Membership Plaque Reminder

Is your Membership plaque up-to-date? If your plaque is overflowing, just call the office to ask for a new plaque. Missing years on the plaque? No problem, just call us – we can supply years as far back as 1995.



Update Your Maple Farm Information

Is your Maple Farm information up-to-date in the association advertising? Customers use the website to find the location nearest to them for the purchase of maple syrup products. If your information is not current, you could be missing customers. Please check the website to see if what we have is accurate, and call or email us with updates.

If you sell direct to retail customers, your farm should be listed in the directory at: "Buy Local" <https://www.nysmaple.com/sugarmaker-directory/>. If it is not listed, you need to tell us what retail products you sell.

If you sell wholesale, you should be listed in the directory at:

Dealers: <https://nysmaple.com/places/nys-sugarmaker/>

Outside of NYS - <https://nysmaple.com/places/outside-nys/>

Wholesale - <https://nysmaple.com/places/wholesale/>

Retail: <https://nysmaple.com/places/retail/> or "BUY LOCAL"

Bulk syrup: <https://nysmaple.com/places/bulk-syrup/>

Justus Asthalter

Maple Syrup, Inc.

Authorized Dealers for

Fully Stocked Glass & Plastic Inventory

Sean Boyes
865 Aden Rd., Parksville, NY 12768
(845) 292-8569
family@justusmaple.com

CHECK OUT THE NEW
LOOK OF OUR WEBSITE
www.justusmaple.com

Serving NY, PA and NJ for 4 Generations

Thomas Kaufman
65 Charlie Wood Road
DeLancey, NY 12752

Maple Sugaring Equipment

607-746-6215/fax 607-746-8367
tomshane95@msn.com/www.catskillmountainmaple.com
CDL USA, Wes Fab, Zap-Bac, Sugarhill

301 Myron Road
Syracuse, New York 13219



Rates are:

1 YEAR: \$65.

3 YEAR: \$180.

ASSOCIATES: \$25.

(Must be a colleague of a full member)

RETIRED *(No longer makes syrup)*: \$25.

STUDENT: \$10.

(Must present proof of school registration)

Contact:

Helen Thomas, Executive Director

office@nysmaple.com

301 Myron Road

Syracuse, New York 13219

315-877-5795 Fax: 315-488-0459

NYSMaple.com

Your new membership runs from January 1 through December 31, 2019.