

Mark Franzoy

See attached.

# Mark Anthony Farms

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May 29, 2025

New Mexico Environment Improvement Board  
1109 St. Francis Dr, Suite N4050  
Santa Fe, NM 87505

Dear Environment Improvement Board:

I am writing regarding the proposed Heat Illness and Injury Prevention Rule, and I appreciate the opportunity to comment, as I do not support this proposed rule.

My family is a large agricultural family of small farmers in Southern New Mexico, who have worked the land for 95 plus years. We were raised and trained in the commonsense approach to safely working in the fields. This includes starting work early in the morning to finish tasks before the hottest part of the day; hydration; rest breaks as needed; access to shade (trees, sheds, etc.). We value and support our workers, and regularly pass this knowledge to them, as we try to protect them in their daily work.

My concerns are in the broad industrial approach, knowing that there is a variety of work environments across industries. Agriculture should not be held to the same standards as other industries.

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An additional concern is the broad requirements that the agricultural producer/farmer/rancher must follow, with little guidance or resources, and under the threat of penalties. Agricultural companies cannot absorb more “costs or penalties” due to overreaching rules and regulations. Farmers are struggling to stay in business due to inflated costs on products used in growing and producing crops, and we have a severe labor shortage. This rule will add undue burdens to the shrinking agriculture industry.

In addition, I have concerns regarding the “statistics” and what research can be cited regarding the stated numbers of injured workers annually in New Mexico, which is the basis of need for this rule.

There are other concerns farmers and ranchers have, including how this rule will impact our ability as an industry to continue to produce food to feed Americans. In addition, excessive workers’ breaks will impact the harvest of perishable field crops, resulting in potentially huge losses. Placing these additional costs and losses, including assessments, more training, additional structures, restructured breaks, with more required record-keeping is a costly burden resulting in even fewer small family farms and ranches in New Mexico.