



July 12, 2011

To: Joint Committee on the Environment, Natural Resources and Agriculture  
From: The Massachusetts Farm Bureau Federation  
RE: HB 228 – An Act to prevent the use of the most dangerous pesticides

With more than 6000 members throughout the Commonwealth, the Massachusetts Farm Bureau Federation is the largest agricultural organization in the Commonwealth. On behalf of our more than 6000 members and their families, we oppose HB 228 – An Act to prevent the use of the most dangerous pesticides.

We applaud, and agree with the intent of this bill which is to reduce pesticide-related illness. Farmers as much as anyone, are concerned with health impacts from pesticides. Farmers and other pesticide applicators have greater exposure to pesticides than anyone. Our products and our livelihoods also depend on our ability to produce healthy, wholesome products.

While well intentioned, we do not believe this bill would have any positive impact on health. We believe it would result in unnecessary duplication of efforts and increased costs for both the regulate community and the Commonwealth. Our two main concerns rest with the creation of a Section 3B and 7a.

Section 3B creates a Subcommittee to the Pesticide Board and charges it with developing a list of pesticides that "shall be comprised of pesticides that are recognized as carcinogenic, mutagenic, or toxic to development or reproduction when used as directed."

Pesticides are currently registered both by EPA, and by the Commonwealth through a Subcommittee to the Pesticide Board which is Chaired by the Department of Public Health. The standard for registration for both state and federal registration is the same and essentially states that products will only be registered when their *use does not pose an unreasonable risk to human health or the environment*. The concept, embodied in this bill, that a product when used as directed will cause such health problems is, in direct conflict with the existing standards regarding the registration standards. The existing standards for federal and state registration would ensure that no products would appear on this proposed list. There is no evidence that either the EPA, nor the existing Subcommittee to the Pesticide Board, is ignoring the current standard.

As detailed in Section 7a, the bill also would create a Pesticide Use Reporting System. Massachusetts General Law already has provisions for the creation of such a system. The Children's and Families Protection Act already authorizes the creation of such a system, subject to appropriation. Soon after passage of this law, DAR convened a workgroup to explore the feasibility of such a system and hired a contractor, at no small expense to the

Commonwealth, to explore the workings of such a database. A number of significant findings came out of this workgroup, the summation of which led to the scrapping of a Pesticide Use Reporting System. The legislature has never funded this program. Findings included:

- Several states had previously created statewide pesticide use reporting systems. All were plagued with significant flaws. All cost millions of dollars. The data collected was accessed by very few people.
- There is no feasible way to capture homeowner use of pesticides which is estimated to comprise at least half of all pesticide use in the Commonwealth.
- Impacts on the regulated community, particularly small businesses who could not easily absorb the costs of additional reporting, would be significant.

We note that this bill does not provide funding to cover costs to the Commonwealth in creating this system. Aside from problems inherent within such a system, we are concerned that creating such a system without a funding system would force DAR to cut other programs and services which have demonstrated benefits.

We urge you to report this bill unfavorably.

Contact

Brad Mitchell  
Director, Government Affairs  
508.481.4766