



Memorandum of Opposition

Legislation Prohibiting the Use of Certain Insecticides as Seed Treatments

S.1856(Hoylman-Sigal)/A.3226 (Glick)

The Northeast Agribusiness and Feed Alliance (NEAFA), the trade association representing the agribusiness community throughout New York and New England, opposes the above-referenced legislation. If enacted, this bill would ban the use of neonicotinoid class pesticides as seed treatments.

This prohibition would significantly impact the ability of New York farmers to successfully raise sufficient crops, including corn for grain and silage, beans, wheat, barley, oats, pumpkins and soybeans, which are valued in the hundreds of millions of dollars to NY farmers.

NEAFA appreciates the attempts to create “circuit breaker” mechanism by engaging the Commissioners of DEC and Agriculture and Markets, through public comment, to determine that “no acceptable alternative exists”. Unfortunately, the practical reality is that by the time such an administrative process is complete, the crops in question will risk being planted without the protection of neonics and significant yields of the crops will be lost. The decision to use neonic treated seed must be made many months before the seeds are planted. Through best management practices, farmers can decide if treated seeds are necessary.

Farmers plant treated seeds because they are the best risk management tool, they can invest in to ensure the seed will germinate and break through the soil surface without first being destroyed. Untreated seeds are not protected from the myriad of insects that find seeds and seedlings excellent sources of nutrients. As our industry’s focus on soil health practices continue to grow, so will the number of seed and seedling loving insects. Therefore, treated seeds will become an even more important risk management tool in the future.

Seed treatments are the precise application of biological organisms, and/or chemical ingredients to suppress, control, or repel plant pathogens, insects, or other pests that attack seeds, seedlings, or plants. Because of their targeted accuracy, they selectively control pests, while ensuring beneficial insects remain available to keep other potential insect pests in check. Their safe and targeted use provides an efficient use of pesticides and reduces the amount of chemicals used on large areas of farmland.

Seed treatments, such as those with neonicotinoid pesticides, undergo rigorous testing with EPA review prior to being permitted to be used commercially. The EPA carefully considers effects on many non-pest organisms, including honeybees, when they approve new insecticides for use. EPA data has shown low risk to pollinators from treated seed in recent assessments.

A recent multi-year study of neonic use in field crops at the University of Maryland found that there were no detectable residues of neonics remaining in the soil, nor were there any differences between control and neonic plots in terms of soil microbial activity, microbial diversity, soil respiration or soil PH. Farmers have embraced seed treatments for the following reasons:

- Improved seedling emergence and health, especially in no-till or conservation tillage situations.
- Viable alternative to foliar and soil applications which require additional passes across fields, resulting in increased fuel use and soil compaction.
- Protection against some above and below-ground pests including some that introduce fungal, bacterial, and viral disease.
- Reduction or elimination in the number of insecticide foliar sprays due to targeted protection against insect pests.
- Higher crop yields, and reduction in the use of natural resources, energy, money, and labor.
- Protection for seeds and seedlings against some of the risks associated with early season planting pests.
- A more efficient use of pesticides and other chemicals.

Seed treatments are an important part of farmers' integrated pest management plans and neonicotinoids must remain available as a seed treatment for New York crop growers. New York's Pollinator Protection Plan provides valuable guidance to farmers and beekeepers to minimize pesticide hazards without sacrificing this critical class of pesticides. The Northeast Agribusiness and Feed Alliance strongly encourages your opposition to this legislation.

For additional information please contact Julie M. Marlette, Hinman Straub at jmarlette@hinmanstraub.com.