



Northeast Agribusiness and Feed Alliance

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July 14, 2023

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12244

Re: S.1856-A, Hoylman-Sigal / A.7640, Glick

Amends the environmental conservation law in relation to enacting the birds and bees protection act

Dear Governor Hochul,

The Northeast Agribusiness and Feed Alliance (NEAFA), the trade association representing the agribusiness community throughout New York and New England, ***strongly opposes*** the above-referenced legislation and urges your veto.

This bill would ban the use of neonicotinoid (“neonic”) 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.

If the ban on neonics were signed into law, farmers would have to default back to older, more harmful insecticide methods. Foliar and soil applications require additional passes across fields which results in increased rates of pesticide application, fuel use and soil compaction. These alternatives are not only more detrimental to the environment, but they also require increased use of natural resources, energy, money, and labor. Neonics are currently the most efficient option available to farmers.

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

If farmers decide against the use of older insecticide methods, the only remaining option under this bill is to refrain from any insecticide use at all. Untreated seed

are not protected from the myriad of insects that find seeds and seedlings excellent sources of nutrients. Neonics provide protection against some above and below-ground pests including some that introduce fungal, bacterial, and viral disease. They also offer protection for seeds and seedlings against some of the risks associated with early season planting pests—improving overall seedling emergence and health, especially in no-till or conservation tillage situations. Farmers plant treated seeds because they are the best risk management tool that they can invest in to ensure the seed will germinate and break through the soil surface without first being destroyed.

As our industry's focus on soil health practices continues 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, 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.

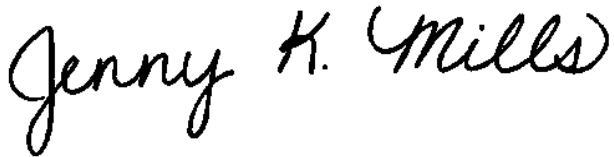
NEAFA appreciates the inclusion of a provision allowing the Commissioners of DEC and Agriculture and Markets, through public comment, to authorize use of neonics when there is an insufficient amount of seed or when compliance with this bill would cause financial hardship on farmers. Unfortunately, the administrative process proposed is impractical, even with a definitive deadline in place. The decision to use neonic treated seeds must be made many months before the seeds are planted. Those seed are manufacuted even earlier than that. Through best management practices, farmers can decide if treated seeds are necessary.

There is no guarantee that the study proposed to be conducted by DEC will find a feasible alternative to replace neonics. On the other hand, if they do find an alternative, the cost associated with the new option is entirely unknown. Thus, NEAFA cautions against signing this bill which would force farmers to transition from the most environmentally friendly, cost-effective insecticide available to a not-yet-existing replacement, or return to decades old practices.

Seed treatments are an important tool in 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.

For these reasons, the Northeast Agribusiness and Feed Alliance (NEAFA) ***strongly opposes*** this legislation and encourages your veto to this legislation.

Sincerely,

A handwritten signature in black ink that reads "Jenny H. Mills". The signature is written in a cursive, flowing style.

Jenny Mills
President, Northeast Agribusiness and Feed Alliance

CC: Kevin King
Caitlin Stephen
Ashley Dougherty
Jeshica Patel
John O'Leary
Senator Brad Hoylman
Assemblymember Deborah Glick