



New York Farm Bureau
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MEMORANDUM OF OPPOSITION

Senate Bill 5343 (Kaminsky) / Assembly Bill 2477B (Englebright)

AN ACT TO AMEND THE ENVIRONMENTAL CONSERVATION LAW, IN RELATION TO PROHIBITING THE USE OF CHLORPYRIFOS

Date: 4/30/2019

New York Farm Bureau, the state's largest agricultural advocacy organization, respectfully opposes this legislation. The legislation would have a negative impact on the agricultural industry in New York, by unnecessarily restricting the use of a duly studied and registered pesticide product, on a number of agricultural products that are not addressed in this legislation.

New York is one of the very few states that reviews pesticide product for environmental and health impacts prior to registration in the state. The vast majority of states simply accept the federal Environmental Protection Agency's (EPA) review and registration decision to allow use in their states. Thus, New York has a rigorous dual certification system for pesticides.

While we appreciate that the sponsors addressed part of our concerns in this amended version of the legislation (for a few years), this bill would still statutorily restrict the use of a needed pesticide product for important farm commodities, such as apples, cabbage, cauliflower and onions. This thereby would subvert the EPA and Department of Environmental Conservation's (DEC) extensive scientific product review process and make such decisions in the political realm, rather than by experts in the technical field. This is a dangerous precedent that we believe should be avoided at all costs.

The loss of effective tools such as Chlorpyrifos will likely increase agricultural risk given the pending losses of our newer, highly effective insecticides placing greater risk on food production systems.

It should be noted that a recent decision by the U.S. Court of Appeals for the 9th Circuit has ordered EPA to decide by July 18, 2019 whether to ban Chlorpyrifos or continue to allow its use. New York State should allow the federal government to conclude this study prior to state statutory action.

Given these reasons with regard to the use of a critical agricultural input, New York Farm Bureau respectfully requests your opposition to this legislation.