



March 9, 2023

House Agriculture Finance and Policy
Chair Samantha Vang
545 State Office Building
St. Paul, MN 551155

Dear Chair Vang, GOP lead Anderson and Members of the Committee,

The Minnesota Corn Growers Association (MCGA) submits the following written testimony on HF 1317, pesticide-treated seed disposal and HF 2472, a new program for pesticide-treated seed. MCGA submits this testimony on behalf of our nearly 7,000 family farm members.

Both bills we are submitting written testimony propose to address environmental concerns associated with the use of pesticide treated seeds. MCGA aims to collaboratively work with legislators on achieving shared goals of protecting pollinators while also helping farmers responsibly use technology that helps to manage risk on Minnesota corn farms. Farmers need to be able to protect crops from insects that feed on germinating seeds and plant roots. Without protection, seed kernels can be attacked by insects that will destroy the seed's ability to germinate and produce a crop. Insects will also feed on the roots of the plant, limiting the plant's ability to take up water and nutrients. If the root system has been partially destroyed by insects, the plant will topple over from its own weight when it's fully grown. In corn production, the most efficient way to do this is to coat the seed with an insecticide. Applying a granular or liquid insecticide across the soil surface at planting is another option, but the use of treated seed is the safest option for the environment and farmers. Waiting for insect damage to occur before treatment does not work because it is impossible to repair the damage that has already been done to the seed kernel or small growing plant. We maintain that we can effectively manage risk to our own farms while also managing environmental concerns through seed stewardship and integrated pest management.

HF 1317

The Minnesota Department of Agriculture (MDA) is the Minnesota state agency with authority to enforce pesticides through the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

- Section 5, lines 3.6-3.12 require MDA and the MN Pollution Control Agency (MPCA) to develop consumer guidance on unused/unsold treated disposal. Last year, the MPCA in collaboration with MDA already developed consumer guidance for the safe disposal of unused/unsold treated seed. It is unclear how the guidance directed to be developed in this bill would vary from the already developed guidance and would prefer to see the language amended directing MDA to use the already established guidance.
- Section 7, lines 3.18-3.24 identify specific disposal methods for unused or unsold treated seed. We would prefer to see this violation language amended in a chapter of law for MDA instead of MPCA. If a farmer has a question about proper disposal methods for unused/unsold treated seed they are more likely to contact MDA instead of MPCA.

- Section 8, lines 3.25-3.30 directs the MPCA to develop rules for the safe and lawful disposal of unused/unsold treated seeds. We think this provision is unnecessary since the guidance has already been developed and are unclear what a formal rulemaking process would accomplish.

HF 2472

We are still working to understand the full scope of HF 2472 and impacts to Minnesota farmers, but as introduced we are opposed to HF 2472. The most significant concern we have with the bill is Sec. 2 Subd.16 (3) requiring a formal verification of need prior to the use of a pesticide treated seed. The formal verification of need prior to planting would add a significant burden for Minnesota farmers. Many corn farmers make planting decisions and seed purchases several months in advance of a planting season. Planting decisions and seed selections for the 2023 crop year likely occurred in 2022 prior to harvesting the 2022 crop or prior to the end of the calendar year which raises the question about when a farmer would need to demonstrate the need for treated seeds to MDA and what are the consequences to a farmer if the seeds already purchased do not receive the formal approval as outlined in the bill.

Thank you for the opportunity to submit written testimony. If you or your staff have any questions, please contact MCGA's Senior Public Policy Director Amanda Bilek at 952-460-3604 or at abilek@mncorn.org.

Sincerely,



Richard Syverson
President
Minnesota Corn Growers Association