

March 8, 2023

Amanda Rudolph, Committee Administrator
Agriculture Finance and Policy Committee
Minnesota House of Representatives
Sent by email to Amanda.Rudolph@house.mn.gov

Dear Ms. Rudolph and Members of the Agriculture Finance and Policy Committee:

Please accept this letter as testimony for **HF 1497**, a bill that **addresses Labeling and Advertising of Nursery Stock**.

The Xerces Society for Invertebrate Conservation (Xerces Society) is an international nonprofit organization that protects the natural world through the conservation of invertebrates and their habitats. Pesticide use is one of the contributing factors to the loss and decline of many invertebrate species. Xerces Society has members and staff across the U.S., including in Minnesota.

Xerces Society has worked on issues related to pesticides in nursery plants for many years and is familiar with nursery and greenhouse industry pest control practices, plants valuable to pollinators in different regions of the U.S., systemic pesticides, and risks of pesticides to pollinators. We have relationships with many growers who produce native pollinator-friendly plants.

Xerces greatly appreciates attention to the topic of nursery plants and pollinator safety by the Legislature. Millions of people across the country have been inspired to help bees and butterflies in recent years by establishing pollinator gardens and habitats in their yards, farms and parks. Yet their efforts are hampered by an inability to verify if the plants they are purchasing are truly free of pesticides harmful to pollinators.

The bill, if passed, would help provide consumers with some certainty about this question and we applaud this intent.

We do see value in strengthening the bill to better achieve its purposes. As it is currently written, pollinator-attractive plants could still be treated with and contain harmful levels of pesticides as long as the seller did not make any claims as to the plant's benefits. Consumers could then still unknowingly purchase plants harmful to pollinators. We have some ideas about how to address this loophole and would welcome further discussions.

We would be disheartened to see small growers (many of whom are pioneering the production of native plants valuable to pollinators) burdened by any testing that results from passage of the bill. We urge the Committee to consider adding language to ease any burden on small growers.

We have some concerns about the use of the phrase "beneficial to pollinators" in the draft bill. Would this phrase be interpreted literally? So if a grower said "beneficial to butterflies" this would fall outside the law, if passed?

EPA hazard statements are not required on pesticide labels for indoor uses, potentially making some greenhouse production outside the purview of this proposed bill.

We don't believe excluding butterfly host plants or greenhouses from the benefits envisioned by this bill is intended and we hope some more attention can be given to the bill language.

Finally, the proposed bill implies that pesticide application records could be consulted. Time has shown the value and utility of a comprehensive state pesticide use reporting system, such as that employed in California.

Thank you for considering our comments.

Sincerely,

Sharon Selvaggio
Pesticide Program Specialist
The Xerces Society