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May 9, 2022

Chair Bill Ingebrigtsen
Senate Environment and Natural Resources Finance Committee
3207 Minnesota Senate Building
St. Paul, MN 551155

Chair Rick Hansen
House Environment and Natural Resources Finance and Policy Committee
407 State Office Building
St. Paul, MN 55155

Chair Ingebrigtsen, Chair Hansen and Members of the Conference Committee on S.F. 4062:

On behalf of the Minnesota Crop Production Retailers (MCPR), I thank you for the opportunity to provide comments. MCPR is a nonprofit organization representing agricultural retailers and distributors, crop input suppliers, crop advisors, and registrants who manufacture crop inputs for farmers throughout Minnesota. Our organization strives to promote the proper use, storage, and application of crop production inputs in an environmentally safe and agronomically sound manner.

MCPR is opposed to several sections of the House bill dealing with treated seed consumer guidance and the prohibition on the application of certain pesticides by authorizing cities to adopt pesticide control ordinances.

For background, a seed treatment is the application of biological organisms/products and chemical ingredients to a seed with the intent to suppress, control, or repel plant pathogens, insects, or other pests that attack seed, seedlings, or plants. They are used to help protect the developing seed during its most vulnerable time—planting through germination and emergence – from early-season insect and disease damage that can severely impact crop establishment and yields. Treated seeds provide a sustainable solution to farmers in a highly targeted and precise approach that also means less impact on the surrounding environment.

- **The requirement that MDA develop and maintain consumer guidance regarding the proper use and disposal of neonicotinoid-treated seed and the prohibition of using or selling neonicotinoid-treated seed for food, feed, oil or ethanol production.**

This language is included in Sections 4, 5 and 6 of Article 2 and is also the underlying language contained in H.F. 766 which was also recently heard this session by the Agriculture Committee and the Environment and Natural Resources Committee in the House.

The agricultural sector is fully committed to following all laws, regulations, and guidelines for the safe use of seed and management of surplus seed. Companies who produce treated seeds work closely with the agricultural industry and grower partners to communicate the importance of following proper guidelines at every step of the process. Seed treatment pesticide products are highly regulated and it is absolutely essential that anyone who treats, handles, transports, plants, recycles, re-uses or disposes of treated seeds manage them properly and in accordance with label instructions to minimize the risk of pesticide exposure to humans and the environment.

Treated seeds undergo a thorough evaluation by the EPA, and applicable state agencies, prior to commercialization and periodically thereafter. Only after a product is approved by the relevant federal and state agencies, can the seed treatment product be used in accordance with the EPA-approved label. Labels for commercial seed treatment products carry language that must be placed on the seed tags accompanying treated seed packages regarding permitted & prohibited practices.

Treated seeds that are damaged, do not meet quality specifications, or have become nonviable may require disposal. There are several ways surplus treated seed is managed, including:

- Alternative Fuel Source for Power Plants or Cement Kilns
 - There are a number of power plants and cement companies that utilize alternative fuels. The EPA National Electric Energy Data System includes a list of power plants utilizing biomass, municipal solid waste, or non-fossil waste as an alternative fuel.
- Alternative Fuel Source for Ethanol Plants
 - A very limited number of ethanol plants in the U.S. have the permits necessary to dispose of treated seed through the ethanol fermentation process. None of these plants are located in Minnesota. In all situations, byproducts from the ethanol production process cannot enter the food or feed channels and no measurable pesticide residues are allowed. The same situation applies for wastewater and air emissions, as well.
- High-Temperature Incineration by a Waste Management Facility
 - These waste management facilities run a disposal business and confirmation of the proper permits is required.
- Disposal in Approved Municipal Landfills
 - State rules vary in approach. In addition, treated seed, and the resultant seed dust, are subject to solid waste regulations at the state and local levels.

The next provision MCPR opposes is the application of Certain Pesticides Prohibited by Authorizing Cities to Adopt Pesticide Control Ordinances.

This language is included in Sections 2 and 3 of Article 2 and is also the underlying language contained in H.F. 718 which was heard by the House Environment and Natural Resources Committee during the 2021 session.

MCPR opposes local ordinances that would repeal statewide exemption of local ordinances regarding crop production inputs. This language would remove existing state authority that ensures safe and consistent regulatory standards for pesticides in the state. MCPR also opposes this language as it will weaken the state's ability to effectively regulate pesticides that are registered and regulated by the Minnesota Department of Agriculture (MDA). These regulations enforced by the MDA ensure safe and proper pesticide use in the state through registration of pesticides, licensing of pesticide applicators, and through research and enforcement activities. Uniform state law comprehensively regulates virtually every other aspect of labeling, distribution, sale, storage, transportation, use and application, and disposal of pesticides in the state. State regulation of pesticides also ensures uniformity with federal regulation, and between states and their municipalities to avoid confusion that may endanger public health or the environment from differing requirements.

This provision would also remove this authority and weaken important standards, increase costs to Minnesotans due to a patchwork of compliance and additional needed resources, and create confusion and the potential for endangering people and natural resources. Pesticides are important public health and environmental tools, protecting people, pets, and property from pests and insect-borne diseases, invasive and non-native plants, and providing safe and healthy places to live, work and play. Pesticides play an important role in agriculture and IPM (Integrated Pest Management). Crop protection tools and technologies are vital to protect farmers' crops and enable farmers to grow more food using less land and resources, therein protecting farmers investments, and making food more affordable.

In closing, MCPR thanks you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink that reads "Patrick Young". The signature is written in a cursive, flowing style.

Executive Director
Minnesota Crop Production Retailers