



# Maine Organic Farmers and Gardeners Association

## Common Ground Country Fair

January 14, 2014

### Testimony Neither For Nor Against LD's 1567, 1568 and 1569

Good Afternoon Senator Vitelli, Representative Dill and Distinguished Members of the Agriculture, Conservation and Forestry Committee. Thank you for the opportunity to provide comments about these major substantive rule changes of the Board of Pesticides Control (BPC). My name is Heather Spalding and I am the Deputy Director for the Maine Organic Farmers and Gardeners Association (MOFGA). As you know this is not the first time MOFGA has appeared before you to provide testimony on this issue. We appreciate your ongoing thoughtful discussions.

While the picture on how the threat of arboviral diseases will be dealt with at the state level is more clear than it was last time we provided comments to you our position on this issue has not changed. We remain steadfast that anybody should be able to opt out of the spray zone for any reason should the State feel it necessary to spray pesticides to control mosquito populations. We appreciate the work the Board of Pesticides Control has done to craft these rules that they believe balance their responsibility with the plethora of comments received opposed to the proposed rules as well as the premise of the rulemaking. We continue to have fundamental differences with the Board about the threat of arboviral diseases in the state and do not believe this type of spraying is the answer. Despite those differences we felt that we had gained traction with the addition of exclusion zones (areas that would not be sprayed) in Board policy developed over the summer. Ultimately the Board weakened the policy in regards to exclusion zones and the hard work and vital protections for those who wish not to be sprayed were lost. In our opinion these major substantive rule changes do not go far enough to protect citizens of the state who wish not to be sprayed with pesticides.

We are able to find common ground around some core issues related to the threat posed by arboviral diseases. In the report *Concerning the Development of A State Plan to Protect the Public Health from Mosquito-borne Diseases* we fully support the recommendation that increased mosquito surveillance is needed. It is clear that the state does not have the data necessary to make informed decisions about the spread and threat of arboviral diseases. As such, this rulemaking is a bit like putting the cart before the horse. Rules have been developed to address a threat that is not fully understood.

We also agree with the assertion that more work needs to happen between DACF and DEP to investigate methods of control that are possible with less toxic alternatives. It is our understanding that less toxic pesticides can potentially be used with some

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permitting tweaks by DEP. Though applying pesticides is not our preferred route of control we fully support efforts to find the least toxic options available.

Thank you for the opportunity to provide input on this important rulemaking process.