



Maine Organic Farmers and Gardeners Association

Common Ground Country Fair

March 2, 2021

Good morning Senator Dill, Representative O'Neil and members of the Joint Standing Committee on Agriculture, Conservation and Forestry. My name is Heather Spalding and I'm deputy director of the Maine Organic Farmers and Gardeners Association. I am submitting comments in support of LD 316 – *An Act to Prohibit the Use of Chlorpyrifos*. MOFGA wishes to thank Representative Doudera and Representative Miramant for their leadership with introducing this important legislation.

Chlorpyrifos is an organophosphate insecticide used for many food crops, mosquito control, Christmas trees and turf management. The chemical has been at the forefront of concern about synthetic pesticides for decades due to its adverse effects on the central nervous, cardiovascular, respiratory, reproductive and endocrine systems, as well as disrupting effects on the kidneys and blood. It also is a skin and eye irritant. One of the most pressing concerns about chlorpyrifos is the impact that it has on the developing brains of children. Research shows that children's exposure to chlorpyrifos leads to developmental and learning disorders including, lower IQs and attention deficit disorder.

The U.S. Environmental Protection Agency (EPA) banned chlorpyrifos for residential use in 2001 recognizing that the neurotoxin damages the developing brains of children. The medical science community widely supports a ban on chlorpyrifos, as outlined in the important publication, *When enough data are not enough to enact policy: The failure to ban chlorpyrifos*.¹ See also, *Polluting Developing Brains – EPA Failure on Chlorpyrifos*.²

In 2015, EPA announced its intention to ban all tolerances of chlorpyrifos. However, that plan was reversed in 2017. As often happens when the federal government fails to act, states began taking matters into their own hands. Hawaii went first, banning chlorpyrifos in June of 2018. California followed in May of 2019 and backed up the ban with \$5.7 million in funding to support the transition to safer, more sustainable alternatives. Later that year the European Union (EU) followed guidance from the European Food Safety Authority, which had concluded there was no safe human exposure level for chlorpyrifos, and announced a ban on the sale of the chemical beginning in February 2020. Close to that time (December 2019) New York State, took steps to phase out all aerial applications of chlorpyrifos for all uses by December 2020, and agreed to ban all uses by 2021. Another state that worked hard to address the concerns of chlorpyrifos is Maryland. They worked with agricultural leaders, environmental advocates and farmers to find a solution and, this past June, Maryland adopted regulations to ban and phase out uses of chlorpyrifos. Aerial applications of chlorpyrifos were banned immediately, other applications were banned after December 31, 2020.

Industry too is reducing production. In February 2020, the largest manufacturer of chlorpyrifos Corteva Inc announced it would stop production of chlorpyrifos by the end of the year due to declining sales.

I understand from the Board of Pesticides Control that in Maine, chlorpyrifos is used primarily for broccoli and some other fruit and vegetable crops, Christmas trees and golf courses. The University of Maine and the Maine Forest Service both have chlorpyrifos in their guidance documents – *i.e.* they recommend the use of chlorpyrifos for certain applications.

¹ [When enough data are not enough to enact policy: The failure to ban chlorpyrifos](#), Plos Biology, Leonardo Trasandre, New York University School of Medicine. Linda Birnbaum, academic editor. December 2017.

² [Polluting Developing Brains – EPA Failure on Chlorpyrifos](#). New England Journal of Medicine. Virginia A. Rauh, Sc.D. March 2018.

MOFGA feels that LD 316 is a reasonable approach to sunseting the use of chlorpyrifos in Maine. It would prohibit the use of chlorpyrifos beginning in 2022, allowing limited exemptions for one year.

As you may know, the Environmental Protection Agency (EPA) is considering reregistering chlorpyrifos as we speak. EPA has not met the substantial evidence or safety thresholds required for registration of chlorpyrifos under the Federal Insecticide Fungicide and Rodenticide Act (FIFRA) and has still not complied with its duties under the Endangered Species Act (“ESA”). MOFGA joins organizations across the country in urging EPA to revoke all food tolerances of chlorpyrifos immediately and begin the cancellation process for all uses of chlorpyrifos. Without assurance that EPA will act, we urge Maine’s Legislature to be proactive, join Hawaii, California, New York and Maryland, and pass this important legislation.

We appreciate your consideration of this important initiative and look forward to a day when chlorpyrifos and other highly toxic pesticides will not be regulated because they will cease to exist in agriculture, land management and building contexts. There are organic, mechanical, and biologic alternatives to most of the practices offered by industrial agribusiness.

About MOFGA

The Maine Organic Farmers and Gardeners Association (MOFGA) started in 1971 and is the oldest and largest state organic organization in the country. We’re a broad-based community that educates about and advocates for organic agriculture, illuminating its interdependence with a healthy environment, local food production, and thriving communities. We have a staff of just under 50 employees, a membership of more than 10,000, and an amazing community of about 2500 volunteers, many of whom we rely on to host our annual Common Ground Country Fair.

Since our beginning we have advocated for policies that reduce all farmers’ and homeowners’ reliance on pesticides, and all citizens’ exposures to pesticides in their diets and in the air and drinking water. We believe that the dramatic increases since the 1950s in childhood and adult cancer rates, as well as immune system and reproductive abnormalities, are directly related to the toxins that increasingly contaminate our environment and threaten the very existance of the pollinators on which our food systems rely.

MOFGA is a statewide organization that has experienced significant growth over the past couple of decades. By the year 2030, we aim to increase the number of certified organic growers from 550 to 750 and the amount of organically managed land from 7% to 10% of the state’s agricultural land. We offer an introductory farm apprenticeship program, beginning farmer training through our two-year Journeyperson program, and a Farm Resilience Program for farmers in years 5-10 of their business when they’re statistically the most likely to experience business failure. MOFGA Certification Services (MCS) is our USDA accredited organic certification program. MCS also administers MOFGA’s Certified Clean Cannabis program for medicinal and adult cannabis use in Maine. MCS certifies more than 70,000 acres of farmland in Maine, representing more than \$60 million in organic farm product sales. MOFGA-certified operations are run by Maine businesspeople for whom economic health and environmental health are interdependent. While we envision a future of healthy ecosystems, communities, people and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum. We are members of the Agricultural Council of Maine and, while we don’t always agree on all policy measures, we recognize and wholeheartedly agree that farmers must be financially successful if we expect to have a healthy Maine agriculture.