

January 15, 2015

The Honorable George Leventhal  
President, Montgomery County Council  
100 Maryland Avenue  
Rockville, MD 20850

Dear Council President Leventhal:

**Re: Bill 52-14 Pesticides –Notice Requirements-Non-essential pesticides-Prohibitions**

Abstract: Montgomery County Farm Bureau (MCFB) opposes this bill because the costs of implementation will outweigh any benefit. The underlying assumption that pesticide uses cause a myriad of human health problems is speculative and unsubstantiated.

Introduction: The farm community appreciates the progress made in recent decades to preserve agricultural land in Montgomery County. Thousands of acres have been set aside for future food production, locally. MCFB also appreciates the exemption granted to agriculture and gardens in Bill 52-14. Without pesticide use in food production, farmers would be out-of-business. It is imperative that farmers be allowed to use every tool available to put food on our tables.

Reasons for Opposition:

1. Why create another tier of regulation at the county level, when we have federal and state regulatory oversight of these products? Why import from Europe and Canada a “precautionary principle” that adds another cost to tax payers in Montgomery County?

To assume that county employees, who would be charged to implement this bill, would have greater expertise than federal or state employees is a real stretch. Montgomery County’s budget is already in a ~\$179 million dollar shortfall. Which

is more important, to provide education to our children, or provide *notice* that our lawn is being treated with a pesticide? On a scale of 1-10, *notice* requirements for lawn applications rank at the bottom of my priorities. I think the Council should focus scarce resources on education, fire & police protection, transportation, social welfare, and medical care needs before creating another, unnecessary, tier of pesticide regulation. We don't want a "pest tax" in addition to the "flush tax" and "rain tax" and "bag tax"!

What would implementation of this bill cost the taxpayers?

If parents and home owners with lawn care concerns would use a little common sense, and take responsibly for themselves, they can control what happens on their lawns without assistance from someone in Rockville. Whatever happened to personal responsibility?

## 2. Who will sit in the seat of judgment?

To prohibit the use of certain pesticides in Montgomery County, while all of our neighboring counties can use them, discriminates against our citizens. Who is going to determine what constitutes a "non-essential pesticide?" What criteria will be used to make such determination?

When I was studying Veterinary Toxicology in college, my professor proclaimed in one class lecture, "Insects Rule the World!" My reaction at that moment was "This Prof is Nuts!" I couldn't grasp at that moment the fundamental truth of his proclamation. Fifty years later – I get it. Indeed, we are surrounded by little, six legged critters that make life miserable for us. Ever been bitten by a mosquito, a tick, a chigger, or a straw itch mite? It's not fun when you are the one being eaten. Our pets and food animals are not exempt from the ravages of the insect kingdom.

We humans aren't stupid. When our comfort zone is threatened, we do something about it. Yip! We invented Insecticides to ward off the evils of those six legged critters.

So, what is a "non-essential –insecticide?" Beats me! I really dislike watching parents spray their children's arms, legs, and bare parts with a mosquito repellent, but the alternative isn't very acceptable.

Did you ever experience a fungi infection such as athlete's foot or jock itch? Not a pleasant experience. So, what is a "non-essential –fungicide? Beats me! If you need it, you need it!

Have you ever sprayed the weeds around your house, garden, or flowers with an herbicide to get rid of unwanted thistles, red-root, or crab grass? Most of us don't care to use a hoe, it's too much work. So, what is a "non-essential –herbicide?" Beats me!

Bill 52-14 authorizes the County Executive to sit in the seat of judgment and determine the essentiality or non-essentiality of products available to citizens of Montgomery County. If this bill becomes law, our citizens will only be able to use products that the County Executive determines to be essential. Wow. What a nightmare for commerce. I guess we'll need to erect a fence around the county to prohibit distribution of non-essential pesticides from crossing our borders.

I believe it is unconscionable for the Council to approve Bill 52-14 when it is obvious that enforcement would be sketchy and skimpy at best.

3. The literature citations are not complete, and present only one side of the argument.

For example, one reference suggests a link between neonicotinoids and collapse of honey bee colonies, a study from Massachusetts, Harvard School of Public Health, *Bulletin of Insectology*, May 9, 2014. No mention is given to the review of this report by other scientists who point out that the dose used in Dr. Lu's study is ten times the amount bees would normally encounter. One would predict from the design of the study that bees treated directly with an insecticide would be adversely impacted when compared to negative control colonies, regardless of dose. Dr. Lu's study is fatally flawed on its' face!

While time did not permit me to review all of the literature citations, my sense is that the advocates of this bill are cherry picking the literature to justify a predetermined philosophy – that all chemicals are bad!

4. What would Bill 52-14 achieve? How would we evaluate any potential benefits?

If Bill 52-14 is enacted, will the Executive develop a historical data base and compare the past to the future? If so, what adverse human health components

would be tracked? If there is a sunset provision, how would Council determine the success or failure of this bill?

My opinion is that this bill will accomplish nothing more than make a few people feel like they have “saved the world from the evils of pesticides = fear of the unknown.” Minority rights are important. Majority rights are equally important. Has anyone looked at the outcomes of similar legislation in Europe and Canada to determine the epidemiological benefits of such controls?

5. Farmers have many years of experience using insecticides, herbicides, and fungicides – all of which are tools needed to produce abundant and safe foods. We use an abundance of caution when we handle these products. We are also trained and certified to use certain products. If anyone is at risk to adverse health effects, farmers who use these products are among those at greatest risk. Children who live on our farms may also be at greater risk. I am unaware of any documented problem, i.e., adverse human health effect, directly associated with pesticide use on farms.

Farmers are fortunate to have new tools enabling us to use lesser amounts of certain pesticides. Plant geneticists have created seeds with DNA inserts to deter insect damage to plants, including corn, soybeans, and wheat. Also, the latest seed improvements allow farmers to use herbicides to control weeds, including noxious weeds, such as Johnson grass and thistle, without the necessity of plowing or tilling the soil. Thus, soil erosion is minimized, and loss of nutrients such as nitrogen and phosphorus to our waterways, resulting in protection of the Chesapeake Bay.

Some citizens are adamantly opposed to genetically modified organisms (GMO) = seeds. Without GMO seeds, farmers would need to use much larger quantities of pesticides. It seems that every new technology meets with some opposition by those who don't understand the science underpinning the technology. Without these advances, American farmers would be at a competitive disadvantage in the world market place, and the consumers would face higher food costs.

Plant geneticists are working to improve plant uptake and retention of water and nitrogen, two of the most limiting nutrients for plant growth. Such enhancements should lead to better yields in future generations. Those who “fear” genetic advances will undoubtedly voice their objections. Farmers will be quick to adopt

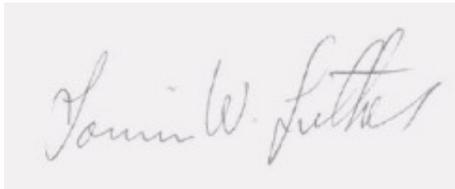
new technologies leading to improvements in crop yields – a big part of the profit picture. Farmers live in a very competitive world.

Conclusion: MCFB believes this bill raises concerns about human health that are presumptive in nature, and lack scientific and medical substantiation. It's O.K. to question whether chemicals, including pesticides, cause human health problems, but one should not leap to false conclusions. To paint with a broad brush – that pesticide exposure causes birth defects; numerous cancers, including non-Hodgkins lymphoma; Parkinson's disease and other neurological disorders; immune system problems; and male infertility – may not lead one to focus on the true causative agent. We shouldn't blame every human imperfection on pesticides.

We feel that the agricultural exemptions in Bill 52-14 are subject to change in the future, and may undermine our freedoms to use EPA and MDA approved products and our right to farm.

We encourage Montgomery County Council to reject Bill 52-14.

Sincerely,

A rectangular box containing a handwritten signature in cursive script that reads "Lonnie W. Luther".

Lonnie W. Luther, Ph.D.

President, Montgomery County Farm Bureau