

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF AGRICULTURAL RESOURCES

REPORT ON THE PROCEEDINGS OF THE HEARING FOR THE SCIENTIFIC LITERATURE
REVIEW CONDUCTED ON NEONICOTINOIDS

PUBLIC HEARING

December 10, 2020

A. Neonicotinoid Scientific Review Summary

In October of 2019, a legislative mandate was passed that required the Department of Agricultural Resources (“Department”) to conduct a scientific review of the potential impacts of neonicotinoid insecticides on pollinators. This review was to be used as part of an individual review that the Pesticide Board Subcommittee (“Subcommittee”) would conduct. As a result of the review, the Subcommittee would then be charged with determining if neonicotinoids posed unreasonable adverse effects to the environment as well as pollinators, and whether current registered uses of neonicotinoid insecticides should be altered. As part of this process, the legislation also required the Subcommittee to have one public hearing on the findings of the scientific review.

The hearing was initially scheduled for March 13, 2020, but due to COVID-19 was cancelled. It was rescheduled for December 10, 2020. It was published in the Boston Globe, Worcester Telegram, the Greenfield Recorder, and the Springfield Republican. Notice of the hearing, along with information on how to obtain a copy of the Literature Review, was also posted on the Department’s website and posted in accordance with the Open Meeting Law (See A-1). Written comments were accepted by the Department until 5:00 P.M. on Thursday, December 17, 2020.

The hearing was attended by one hundred thirty-eight (138) individuals representing the pesticide industry, beekeepers, organic farming, applicators of pesticides, environmental groups, state representatives/legislators and their staff, and concerned citizens. Thirty-three (33) individuals provided oral comments and the Department received forty-seven (47) written comments (See A-1).

Comments that provided references to scientific research/studies were sent to the Departments chemist to review.

B. Summary of Comments Submitted

The majority of comments that were received during the public hearing can be categorized into the following main areas:

In Support of Changing the Registration Status of Neonicotinoids	Oppose Changing the Registration Status of Neonicotinoids
<ul style="list-style-type: none">– The review clearly shows that neonicotinoids have effects on pollinators– The Department took too long to reschedule the hearing– The Pesticide Subcommittee relies too heavily on science from the United States Environmental Protection Agency (“EPA”)	<ul style="list-style-type: none">– The literature review is incomplete– Many factors that affect pollinator health– Does not support restricting neonicotinoids– Maintains trust in EPA

<ul style="list-style-type: none"> - The Department and the Subcommittee is not doing its job in regulating pesticides - Neonicotinoids have an effect on mammals, birds, water ways and health. - Support banning neonicotinoids - Support restricting neonicotinoids - Support banning seed treatments - Honeybee loss is at a high - Insect populations has decreased by 40% - Lack of trust in EPA - Referenced the recent find of PFAS in Anvil and compared - Support of Representative Dykema's proposed legislation - Referenced UMASS Dartmouth Professor Giguere research on wild bee pollination - Cumulative effects need to be taken into account - Decline in animal health - EU has implemented a ban on neonicotinoids - The public and pesticide applicators need to be educated on alternatives to pesticides/less toxic pesticides - Many more studies/research than what was noted in the literature review which points to neonicotinoids posing risk 	<ul style="list-style-type: none"> - Does not believe the science is conclusive - Neonicotinoids take the place of more harmful products like carbamates and organophosphates - The literature review was completed before EPA completed its registration review - EPA is proposing label changes as a result of its registration review - Emphasize more education about neonicotinoids - Point out that the literature review states "<i>...that this is an extremely broad-brush observation and should be understood in context: publication bias may result in a higher publication rate for studies that identify effects. Not all identified effects were seen at field-realistic concentrations. Some studies found one neonicotinoid to affect an endpoint while another neonicotinoid did not find to affect that endpoint.</i>" - There are studies/research that indicates neonicotinoids do not pose a risk - Would like the Pesticide Subcommittee to consider Massachusetts data - Would like the Subcommittee to consider a comparative risk to the alternatives
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Additional Comments

- The Subcommittee should make their determination quickly a so industry can plan appropriately.
- Several comments were directed to the Department instead of the Subcommittee.

A-1: Public Announcement:

DEPARTMENT OF AGRICULTURAL RESOURCES NOTICE OF PUBLIC HEARING

Notice is hereby given that the Pesticide Board Subcommittee, acting through the Department of Agricultural Resources, under its authority pursuant to FY20GAA-2511-0100, M.G.L. c. 132B, Section 3A, and 333 CMR 8.03; and in accordance with M.G.L. c. 30A, will hold a public hearing on the findings of a scientific literature review that the Pesticide Board Subcommittee will use when determining whether current uses of neonicotinoid insecticides pose unreasonable adverse effects to the environment as well as pollinators, and whether current registered uses of neonicotinoid insecticides should be altered.

The public hearing will be held on the following date:

Thursday, December 10, 2020 from 10:00 A.M. – 12:00 P.M.

Please note that due to the COVID-19 pandemic, this hearing will be held virtually via Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/83556605227?pwd=bmxiNUhSR0NkQVg3UGxDQ0RDRUIOZz09>

Meeting ID: 835 5660 5227 Passcode: 3Am52T

Phone Info Meeting ID: 835 5660 5227 Passcode: 106861 Find your local number:

<https://us02web.zoom.us/j/83556605227?pwd=bmxiNUhSR0NkQVg3UGxDQ0RDRUIOZz09>

Testimony may be presented orally at the virtual hearing or in writing. Written comments will be accepted until 5:00 P.M. on Thursday, December 17, 2020. Written testimony must be submitted to the Pesticide Board Subcommittee by email to taryn.lascola@mass.gov or by mail to Taryn LaScola-Miner, 251 Causeway Street, Suite 500, Boston, MA 02114-2151.

The full text of the review is available at <https://www.mass.gov/media/2095761/download> and <https://www.mass.gov/doc/neonics-scientific-literature-review-framework/download>. For special accommodations for this event or to obtain this information in an alternative format, you may contact ADA coordinator, Donald Gomes, at 617-626-1608.

A-2: List of Public Hearing Attendees and Comments Submitted

List of Public Hearing Attendees

Name, Affiliation	Oral/Written Comments
<p>Representative Carolyn Dykema, written comment submitted with support from: <i>Representative Brian M. Ashe, Representative John Barrett, III, Representative James Arciero, Representative Ruth B. Balsler, Representative Linda Dean Campbell, Representative Tackey Chan, Representative Kimberly N. Ferguson, Representative Jonathan Hecht, Representative Michelle L. Ciccolo, Representative Dylan A. Fernandes, Representative Natalie M. Higgins, Representative Mike Connolly, Representative Ann-Margaret Ferrante, Representative Kevin G. Honan, Representative William L. Crocker, Jr., Representative Sean Garballey, Representative Bradley H. Jones, Jr., Representative Claire D. Cronin, Representative Denise C. Garlick, Representative Patrick J. Kearney, Representative Angelo L. D’Emilia, Representative Colleen M. Garry, Representative Mary S. Keefe, Representative David F. DeCoste, Representative Carmine L. Gentile, Representative Kay Khan, Representative Carol A. Doherty, Representative Thomas A. Golden, Jr., Representative Kathleen P. LaNatra, Representative Mindy Domb, Representative Danielle W. Gregoire, Representative John J. Lawn, Representative Paul J. Donato, Representative Tami L. Gouveia, Representative David H. A. LeBoeuf, Representative William J. Driscoll, Jr., Representative James K. Hawkins, Representative Jack P. Lewis, Representative Lori A. Ehrlich, Representative Stephan Hay, Representative David P. Linsky, Representative Kate Lipper-Garabedian, Representative Tram T. Nguyen, Representative Aaron Vega, Representative Jay Livingstone, Representative W. Smitty Pignatelli, Representative Tommy Vitolo, Representative Marc T. Lombardo, Representative Angelo J. Puppolo, Jr., Representative Susannah M. Whipps, Representative Adrian C. Madaro, Representative David M. Rogers, Representative Joanne M. Comerford, Representative Liz A. Malia, Representative Jeffrey N. Roy, Representative Brendan P. Crighton, Representative Paul W. Mark, Representative Lindsay N. Sabadosa, Senator Cynthia S. Creem, Representative Joan Meschino, Representative Paul A. Schmid, III, Senator Julian Cyr, Representative Christina A. Minicucci, Representative Danillo A. Sena, Senator James B. Eldridge, Representative Liz Miranda, Representative Alan Silvia, Senator Ryan C. Fattman, Representative Frank A. Moran, Representative Thomas M. Stanley, Sentaor Patricia D. Jehlen, Representative David K. Muradian, Jr, Representative Paul F. Tucker, Senator Jason M. Lewis, Representative</i></p>	<p>Both</p>

<i>Brian W. Murray, Representative Steven Ultrino, Senator Joan B. Lovely, Senator Michael O. Moore, Senator Patrick M. O'Connor, Senator Michael F. Rush, Senator Susan Moran, Senator Rebecca L. Rausch, Senator Walter F. Timilty</i>	
Representative Mary Keefe	Oral
Representative Lindsey Sabadosa	Oral
Ellen Fine	Oral
Marty Dabergota, Northeast Organic Farming Association (“NOFA”) joint written testimony with: <i>Bee Friendly Williamstown, Berkshire Farms Apiary, Blue Hill Gardens, Bridgewater Green Committee, Caretaker Farm, Center for Biological Diversity, FCCPR Climate Change Task Force, Climate Action Now Western MA, Friends of Holly Hill Farm, Inc., Community Action Works, Friends of the Earth U.S., Debra's Natural gourmet, Garden Club of Cohasset, Earthwise Landscaping, GreenCAPE, EcoHealth Advocates, Hilltown Anti-Herbicide Coalition (HA-HC), Elders Climate Action Mass., Island Grown Initiative, Environment Massachusetts, Jones River Watershed Association, Inc, Environmental Genomics Inc., Pollination Systems Designer and Principal Landscape Interactions, LEAD for Pollinators, Inc., Local Harmony, Mothers Out Front, Native Plant Trust, Manda Farm, Mass Audubon, Massachusetts Butterfly Club, Natural Resources Defense Council, Pelham Community Garden, Plainfield Agricultural Commission, Massachusetts Rivers Alliance, Pollinator Protectors, Pollinator Stewardship Council, MASSPIRG, Pollinators Welcome, Monterey Community Garden, Pollinators Welcome, Regeneration Massachusetts, RESTORE: The North Woods, Round the Bend Farm, Southeastern Mass. Pine Barrens Alliance, Western Mass Pollinator Networks, Wild Cohasset Inc., Sustainable Sudbury, That's A Plenty Farm & Pollinator Habitat, The Enviro Show, Upswing Farm LLC, We the People Oppose Toxic Spraying, Wendell State Forest Alliance, Brigid Bieber, Rep. Lindsay N. Sabadosa, Katherine Fite, PhD, Barbara West, Adele Gladstone-Gilbert, Debera First, Beekeeper, Edible Landscaper and Gardener, Elizabeth Gifford, John Cohen, Susan Garrett, Sarah Rauhut, Seana Parker-Dalton, Susan Waltner, Suzanne Mrozak, Jodi Rodar, Miriam Kurland</i>	Both
Heidi Ricci, Massachusetts Audubon Society	Oral
Colin Antanya/Sara Dewey, Conservation Law Foundation	Both
Megan Stokes, Community Action Works	Both
Kate O'Connor	Both
John Gaeta, Responsible Industry for Sound Environment (“RISE”)	Both
Ann O'Connor, Williamstown Select Board	Both
Drew Toher, Beyond Pesticides	Oral
Russell Holman, Massachusetts Arborist Association	Oral
Deidre Cummings, Massachusetts State Public Interest Research Groups (“MASSPIRG”)	Oral

Richard Callahan, Beekeeper	Oral
Glenn Ayers, Pesticide Reduction Network	Oral
Riley Titus, Crop Life America	Both
Nate Nourse	Oral
Ed Stockman, Regeneration Massachusetts	Both
Mark Amato, Farm Bureau	Oral
Bob Mann, Green Industry Alliance (“GIA”) & National Association of Landscape Professionals (“NALP”)	Both
Anneli Johnson	Both
Jim Ward, Farmer	Oral
Katherine Lang, Mass Rivers Alliance	Oral
Mark Hanson	Both
Ed Bemis, Massachusetts Nursery and Landscape Association (“MNLA”) & Massachusetts Flower Growers Association	Oral
Mary Duane, Massachusetts Beekeepers Association, Eastern Apicultural Society (EAS), Worcester County Beekeepers Association	Both
Rick Lawlor, Golf Course Representative	Oral
Adam Stark, Debra’s Natural Gourmet	Written
Peter Mezitt, MA Nursery and Landscape Association (“MNLA”)	Oral
Cecily Miller	Both
Louise Hetzler	Oral
Leonor Bryck	Oral
Margo Roman	Oral
Astrid Munte Peisch	Written
Clifford Youse	Written
Jennifer Johnson	Written
Thomas Starr	Written
Christine Lazar	Written
Marcella Stasa	Written
Jill Manca	Written
We The People Oppose Toxic Spraying	Written
Kathleen Ceurvets /Ann Foresman, Wollaston Garden Club	Written
Pat Neary, Bridgewater Green Committee	Written
Kari Percival	Written
Resa Blatman and Stefan Cooke	Written
Lorri Berenberg	Written
Karen Connelly, Green Industry Alliance (“GIA”)	Written

Heidi Dollard , <i>Western Mass Pollinator Networks & Belchertown For Bees</i>	Written
Ernie Huber	Written
Maria Bartlett/Jill Malcom , <i>Garden Club Federation of Massachusetts</i>	Written
John Duke	Written
Parkman Howe	Written
Elsie & Karl Barry	Written
Shira Wohelberg/Tony Pisano	Written
Anna Hanchett, Bi- Hsaio, Ed Stockman, Sadie Stull, and Anne Williamson , <i>The Plainfield Agricultural Commission</i>	Written
Brad Mitchell , <i>Massachusetts Farm Bureau</i>	Written
Ryan Duggan	Written
Julia Fleet	Written
Jane Sloboda	Written
Jonathan Siegel	Written
Peter Delaney , <i>Massachusetts Beekeepers Association</i>	Written
Toxic Actions Center	Written
Tusi Gastonguay	Written
Perry Carter	Written
Ruth Loetterle	Written