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I am providing testimony today for Rural Vermont in support of H.706 - and more broadly with the goal of reducing and eliminating the use of and exposure to pesticides, and supporting the farmers and others currently using these pesticides in transitioning. This is a position in broader alignment with our national and international coalition organizations - the National Family Farm Coalition and La Via Campesina - in their work related to pesticides, food sovereignty, and corporate power.

This bill acknowledges and faces the significant negative environmental and biological impacts that neonics are having, their resilience and mobility in the environment, the need to provide time and support for those using the pesticide in transitioning, and the need to protect the vast majority of VT's farmers and community members who are choosing not to use the pesticide from exposure and impact (these people are currently being non-consensually exposed given what we know about the spread of neonics in the environment away from the immediate location of use, and their far reaching and systemic impacts).

Rural VT, and a number of organizations who support this bill, have worked for a number of years in relationship to different pesticides, and neonics in particular. This effort - this bill - is not something novel, nor should it be unexpected. We worked to have neonics - other than seed - registered as a restricted use pesticide in 2019. At the time - we announced and expected that we would be working to address seed next. Then the pandemic occurred. We are now back with a number of the same and other organizations seeking this change. We have been watching much of the testimony you've received thus far and here present some of our own thoughts on this bill, this issue, and responses to some of what we have heard.

At least 3 of VT's larger member based farming organizations have come out in support of this bill, or this bill with some amendments: Rural VT, NOFA VT, and the Champlain Valley Farmers Coalition (provided the bill resembles the NY bill.. The New York Farm Bureau supported the final version of the NY bill, which this bill is now very similar to. This demonstrates the broad agricultural support across farm types and sizes and regions despite testimony from some farms and farmers opposing the bill.

This is not a bill about putting farms out of business or putting farmers against farmers, it's not a bill about transitioning land away from "conventional" dairy farming in VT, it is not a referendum on row cropping corn in VT, and I don't believe it's helpful or accurate for it to be framed in this way. This bill is discreet and targeted, it is about a single class of pesticides, and seeks to provide the support needed for producers currently using them to transition. It is modeled after other existing legislation around the country, and around the world; and has been amended to chronologically line up with the NY bill related to some of its implementation dates. In countries and regions in which similar legislation has been passed - there have been no documented negative impacts on the agricultural community related to these changes, including no loss in

yield; but this does not mean that the concerns of farmers here you have heard are not valid concerns, that they do not point to very real problems and challenges they face.

The testimony you have received thus far has demonstrated the precarious nature of our food system, farming, seed, and land access systems. Numerous farmers and consultants spoke to the economic and climactic / environmental vulnerability of farms and farmers and farmworkers. We do have immense systemic and complex problems that need to be addressed. This bill is about a discreet problem - that yes, is a part of this greater complex that we need to work together towards improving and transforming.

There was a recent NE Feeding NE study which Steven Collier mentioned when he was in the House committee and which you have been presented with as well:

- VT is currently severely import dependent for the vast majority of its food needs; across New England, we'd need an additional 400,000 acres of land in underutilized production and an additional 590,000 additional acres of new crop land to even meet 30% of our regional food needs. According to a study by the American Farmland Trust, approximately 41,200 acres of VT's existing agricultural acreage will transition out of production by 2040 if we continue our current development trends. We need more farmers, more land in ag, more support for those already farming, more support for new farmers.
- This conversation is not about taking any farmers away, or any acreage away - or causing that. This bill assures that as we bring this new acreage on, and as we maintain and improve our current acreage (supporting new and existing farmers), that we are not further spreading what we know to be harmful / persistent / mobile agrochemicals, and that our communities and farms have self determination in relationship to the crops they grow, the seeds they source, and the food they eat.

In the House Ag Committee, Heather Darby told a story related to the time period when neonics transitioned from an optional treatment for farmers to an automatic treatment, and one of the primary barriers we are discussing here is related to our real or perceived inability to choose whether or not the corn seed we plant will have a particular proprietary product on it. This isn't about whether or not the varieties are available - it's whether or not they will be available as they once were, as an option as opposed to a requirement. Nobody is taking away varieties - we are saying those varieties cannot contain a particular pesticide with known dangerous and widespread impacts which almost all of the time do not economically or agronomically help farmers according to data. This disproportionate power that pesticide manufacturers and seed companies have in relationship to the essential needs of our society to grow food should be deeply concerning to all of us, as it fundamentally affects our democracy.

In response to some of the concerns and questions raised over the last number of weeks.

- "We need to wait for a Federal solution": Certainly, a federal solution would be ideal; but we cannot wait for a federal solution. It would eliminate more of the concerns around

“competitive advantage” and seed supply, but we also have not seen any data that bears out these concerns and have consistently seen these narratives being voiced in other places as they were considering legislation. We do need to account for the fact that these farms are part of a global commodity system - need very much to support them - and we can't deny the science about impacts and continue to use this class of pesticides. We support doing what we must to provide support needed for farmers as they transition - and this bill will give us some time to plan and work to address these concerns, and grow greater regional movement towards this transition. But we cannot not act any longer. We must recognize as well that the federal government - though it provides many supports through NRCS and other programs, including substantial grants supporting capital intensive infrastructure like manure pits and manure injection equipment some of these farms benefit from, as was discussed in previous testimony - has a very poor track record for protecting farms and farmers and farmland and farm workers from big capital, from consolidation, from agribusiness; and a poor record for protecting communities and the environment from agricultural and other toxics proactively with a “precautionary principle” approach as opposed to reactively (see the systemic and long term loss of farms, the consolidation of agribusiness and farms, the imposition of so called “free trade” agreements like NAFTA and GATT, the legacy of once approved and used toxics now off the shelves, the people suffering from illnesses related to their use, and the current situation with PFOS chemicals and neonics). Right now, we are seeing as a state the relative power of pesticide manufacturers and seed companies in this conversation which is fundamentally about our communities food resiliency, our food democracy, ecological and human health protection, and the just livelihoods of our farmers and farm workers. Two international companies now own more than 40% of the global seed market. This is the consolidation and power that Oxfam writes in its most recent report on global inequity that has been “willingly handed to corporations by our governments”. The impacts of these policies is not represented by the presence of dairy farmers and other farmers who come into this room on this issue; rather by the long term, precipitous decline of them in our communities. This was not, and is not, an inevitable consequence of an apolitical form of “progress”, or of legislation or EPA action removing pesticides from farmers’ toolboxes - it is the outcome of US and global policy, and the very complicity which Oxfam’s research attests to between governments and corporations.

- “We should defer to the Agricultural Innovation Board”: We are disappointed by the AIB report and its conclusions. The primary concerns they relay - related to needing more research related to seed corn maggot, the supply of seed, and the potential impact of the “halo effect” - are present, but we do not feel they are reasonable barriers to making more clear and substantial steps now to reducing the use of neonics and supporting farmers in transitioning, in particular given the data on environmental impacts, yields, and farm economics. If there is residual, there is some degree of residual affect (“halo” effect). Our principal concern with the halo effect is primarily that it exists; and its very existence is another reason to phase out widespread neonic use as soon as possible.

This bill provides time to do more research and support seed supply assurance and financial supports for farms.

- Whether or not policy is the most effective approach:
  - We have seen in Quebec, the EU, and other locations that policy has been effective - and has not resulted in any of the catastrophic outcomes that were voiced prior to the policy being enacted in those places.
- Nobody is advocating moving away from seed treatments towards spray treatment. Seed treatment is one of the points of focus because based on data from VAAF, it is the greatest use of neonics in Vt, it is prophylactically applied with or without pest pressure, etc - but spray treatments are also very much a focus of this bill. H.706 prohibits the sale or use of neonic coatings on corn, soybean, wheat and cereal seeds by 2029; prohibits outdoor uses that risk significant harm to pollinators by 2025 (flowering crops, ornamental plants, turf grass); and requires BMPs (best management practices) for permitted uses of neonics.
- Not as simple as this being about Org or untreated vs conventional - it's about neonic treatment in particular. Folks can still apply fungicides and other treatments for example.

Farmers have real concerns about transitioning; and farmers have real concerns about being exposed. This isn't about farmers not caring about bees. It's not about beekeepers and poor hive management. There are more than 6,000 farms in VT - and many other food producers as well - who are impacted. Pollinator-dependent crops in VT include apples, squash, peppers, melons, sunflowers, buckwheat, tomatoes, blueberries, and cherries, among others. The VT Beekeepers Association reminds us that, "according to VAAF's [Vermont Agency of Agriculture, Food and Markets] own statistics, Vermont beekeepers have lost at least 25% of their bees during the winter months for the last three years. The Bee Informed Partnership, a national organization that tracks U.S. honey bee colony losses, reports combined summer and winter colony losses for Vermonters much higher at 35-85% each year for the last four years"<sup>1</sup>. The VT beekeepers association has authored a strong rebuttal to the VaAFM data and it's interpretation that has been brought up in committee, I'm sure Samantha Algers or your subsequent witness beekeeper can respond with more expertise than myself. Farmers irrigate from surface waters, and the Vermont Agency of Agriculture has reported neonicotinoid residues in nearly all surface waterways in Vermont. These chemicals are persistent and they spread - you've seen data of residues at varying soil depths on land planted (and land not planted) with neonics. The vast majority of farms and farmers in VT do not rely upon neonics - but all rely upon beneficial insects, soil health, water quality, seeds, and the ability to determine how to operate their farm, manage the land, and grow the crops provided it doesn't negatively impact others.

We want to support the farmers who need to transition - and acknowledge the many particular challenges they face in relationship to this, and more broadly given their positionality in the

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<sup>1</sup><https://www.vermontbeekeepers.org/2-uncategorised/1191-vermont-beekeepers-refute-state-claims-of-honey-bee-health#:~:text=Across%20our%20entire%20beekeeping%20industry,environmental%20impacts%2C%20and%20pesticide%20use.>

national and global food system. We also support the concerns of those farmers and farmworkers and other producers who are not using these chemicals - the non-consensual exposure and potential exposure of their crops, their land, and the biology on that land.

We need everyone involved to engage with the full details and data of the situation, and feel that a number of people from either “side” of this issue are often not doing so. This includes:

- what is treated and what needs to be treated
  - According to pesticide usage data reported by the VAAF in December 2023, 99.6% of corn seed in VT is treated with neonics, and 34% of soybeans - across 90,000 and 7,000 acres of soybeans respectively<sup>2</sup>. In other words, farmers are nearly universally planting neonic treated seed to prophylactically address potential pest issues, very rarely benefiting from these uses at all, and on a net level, are not economically benefiting.
  - To these farmers, as you have heard, this is seen as cheap crop insurance, as risk management - the greatest yield, the least risk; better than insurance because you actually salvage the crop vs only having a tiny percentage of value and still incurring substantial loss
  - But to everyone else, it is seen as widespread and unnecessary use of a toxic chemical. That is the externality of the savings for the farmers on the “insurance”, the risk and impact is put somewhere else.
- ecological impacts and impacts on others (human and non) in their communities.
  - residual, spreading in soils and water, aspect of consent.
- Seed supply and cost
  - Insurance and real costs of crop loss
    - In House Ag heard Tucker - who also spoke to you - speak to the minimal support provided to his farm in response to substantial losses and costs.
- Research that exists and research we need to support
  - We have heard from many scientists, beekeepers and others about the very real data related to impacts; we have also heard from farmers about support they need related to research and development and seed sourcing and potential crop loss.
- Farm needs vs. community needs:
  - Maximizing yield at the lowest cost vs holistic impact on farms and human and non-human communities.

We understand that Quebec and other places are not the same as VT ecologically, agriculturally, economically, or politically. But we also do not believe that the experiences of Europe, Ontario, Quebec, and NY are not relevant to VT farmers or our path forward.

The greatest concerns we have heard:

- Supply of seed

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<sup>2</sup>[https://agriculture.vermont.gov/sites/agriculture/files/doc\\_library/2023\\_1211%20Vermont%20neonicotinoid%20use.pdf](https://agriculture.vermont.gov/sites/agriculture/files/doc_library/2023_1211%20Vermont%20neonicotinoid%20use.pdf)

- Potential Loss and insurance only covering a little bit
- Not enough research: SCM, and many things.
- From what I heard in this committee and the house ag committee - many of those who spoke with concerns about the bill were not always speaking against it. Often, aligning the timeline with NY was mentioned.

In relationship to what is in the control of the legislature, a question we think is important to ask is: in the event of loss from organisms otherwise treated by neonics, if appropriate management methods are used, is there funding to support farmers as we know losses far exceed insurance payouts?

We need to focus on the real and potential needs of this transition; but we must begin the transition.

With this work in VT, we hope to grow the movement of more states taking action in the US; and know that there are efforts underway in other states in our region and beyond. Hopefully, seed companies will work with the farmers using these products now, and farmers here will have the varieties they need at a cheaper price (as we've seen in other localities), and healthier soils, and biological webs; and the other farms and community members not using them will be far less exposed; and we will gradually reduce and eliminate the systemic load of neonics now in our environment.

We are open to conversations about the NY bill and shifting aspects of the current legislation here given its passage.

Thank you for the invitation to come into committee and for your time.