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**Testimony re:** HB 387: Pesticide Regulation – Transfer to Department of the Environment  
**Submitted to:** The House Environment and Transportation Committee  
**Submitted:** Luke Goembel  
**Position:** Support

February 9, 2022

Dear Chairman Barve, Vice Chair Stein, and members of the committee

I have a Ph.D. in chemistry and I've worked for organizations such as the Army Material Systems Analysis Activity, NASA's Laboratory for Extraterrestrial Physics, and The Johns Hopkins University Applied Physics Laboratory. I'm also a beekeeper and have served three terms as an officer of the Central Maryland Beekeepers Association, currently serve as a member of the Board, have published articles in *American Bee Journal*, have served as a panelist at a Congressional Briefing on pesticides and pollinators, and have spoken at the White House Council on Environmental Quality.

**I am providing testimony based on my expertise as a scientist and as a beekeeper.** From both perspectives, I strongly urge passage of HB 387 to ensure pesticide regulation is under the auspices of the Maryland agency charged with protecting the health of people and our environment. **It is important to understand that the EPA does not “approve” pesticides but rather registers them on a risk/benefit ratio... the benefit to the industry and its ability to effectively address pest and weed pressures vs the risks to the health of people, pollinators, drinking water, waterways and the environment,** as a whole. This subjective exercise allows for a lot of ‘wiggle room’. What seems an appropriate risk/benefit ratio analysis of a pesticide use for North Dakota is not necessarily appropriate for Maryland.

As a scientist, I understand why FIFRA ensures that state agencies can go beyond EPA's registration of pesticides. In my meetings with EPA personnel, conversations with retired EPA scientists, and familiarity with lawsuits against the agency's approval of increasingly more environmentally harmful pesticides and their use, combined with my knowledge of the current science on pesticides and pollinators, it is clear to me that in order to assure Maryland has a safe environment for people, pollinators, and other life forms we depend on, **Maryland must do what is allowed by FIFRA: Maryland can and *must* perform their own risk/benefit assessment based on current science.** Agency decisions must be based on what Marylanders need and not muddled by politics nor a ‘revolving door policy’ with those they are supposed to regulate.

MDA does not have staff with public or environmental health backgrounds dedicated to ensuring environmental risks are considered, when registering pesticides manufacturers submit to MDA's chemist. Other states, where pesticide oversight is not under a Dept. of Agriculture, have taken steps to further restrict and even ban certain EPA-registered pesticides that they have assessed pose a threat to health, including pollinator health.

In any risk/benefit analysis on pesticides used in our state, **we must consider their role in**

- **the nearly 50-fold increase in the toxicity of the environment to bees<sup>1</sup>,**
- **a 75% reduction in the biomass of flying insects over the past three decades<sup>2</sup>,**
- **a 30% reduction in the population of birds<sup>3</sup>, and**
- **the fact that Maryland beekeepers lose one-third to one-half of their hives each year<sup>4</sup>, as compared to much lower losses (~10%) in past decades.**



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The Maryland Department of Agriculture (MDA) does not have the expertise to oversee pesticide regulation. They lack scientific expertise on toxics, the environment, and health.

My own experience as a beekeeper has underscored that Md. Dept of the Environment, rather than MDA, would be best suited to assess which pesticides may need to be further restricted, based on the science that they threaten pollinators. For example:

1) In 2016, I was invited to participate in the Maryland Managed Pollinator Protection Program (MP3) Summit – a stakeholder meeting planned and hosted by the MDA to make decisions on how to improve survival for pollinators in Maryland. To my surprise, most of the stakeholder’s present were pesticide company executives and pesticide users, resulting in the majority of participants deciding that pesticides have little to do with our devastating annual hive losses.

2) MDA opposed the Pollinator Protection Act of 2016 and ignored the breadth of research that has shown a clear link between the alarming pollinator losses we are experiencing in the state and pesticide exposures. I give details of the MDA’s MP3 flawed process in “Beekeeping Stakeholder,” published in *American Bee Journal* [attached].

3) After the Pollinator Protection Act was implemented in 2018, members of Central Maryland Beekeepers Association found retailers were still selling consumer neonic-containing products for two years after the ban went into effect. We shared this information with MDA. We later learned that MDA was allowing for a loophole in the law, whereby retailers who had Restricted Use Pesticide licenses could also continue to sell these products to consumers—even though consumers are forbidden by the law to use them. Over 350 Maryland beekeepers signed on to testimony to support the bill last year to close this loophole. Beekeepers are grateful to this committee and the Maryland General Assembly for passing this corrective law in 2021.

These examples are why we need an agency whose primary expertise is scientific, regarding toxic impacts on the health of the environment and people.

As both a scientist that has observed some of the gaps in MDA’s scientific understanding and references over the years and as a long-time beekeeper, I urge a favorable report on HB387.

References:

- 1) <https://pubmed.ncbi.nlm.nih.gov/31386666/>
- 2) <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0185809>
- 3) <https://news.cornell.edu/stories/2019/09/nearly-30-birds-us-canada-have-vanished-1970>
- 4) <https://beeinformed.org/2021/06/21/united-states-honey-bee-colony-losses-2020-2021-preliminary-results/>