

Turfgrass Advocacy 2023

New York State Turfgrass Association



LEGISLATIVE BANS OF PESTICIDE PRODUCTS

BACKGROUND

Several bills have been introduced to prohibit the use of pesticide products in New York State. These proposals threaten to create significant harm to New York's agriculture and green industry and ignore the science-based decisions rendered by the NYS Departments of Health (NYSDOH) and Environmental Conservation (NYSDEC).

The following bills would ban the use of one or more pesticides in New York:

- S01856/A03226 (Hoylman-Sigal/Glick) bans the use of neonicotinoids in relation to enacting the birds and the bees protection
- A02097 (Colton) prohibits the use of pesticides containing neonicotinoids
- S00261/A01615 (Serrano/Rosenthal) prohibits the use of glyphosate on state property
- S4164 (Hoylman/Sigal) prohibits the sale and distribution of glyphosate and products containing glyphosate

Before pesticides can be used in the United States they must go through an extensive evaluation and registration process by the United States Environmental Protection Agency (EPA). New York is only one of two states that conducts their own pesticide review process after federal registration. The NYSDEC is charged with reviewing and registering pesticide products before they can be used in New York (Article 33, EnCon Law). The extensive review process requires determinations of no threats to water quality, wildlife and humans. The review and evaluation process involves experts from the NYS Water Resources Institute, the Department of Health, the Division of Wildlife, in addition to the experts from NYSDEC's Bureau of Pesticides.

The economic impact of pesticide bans to New York's green industry and agriculture could be devastating. Imidacloprid, which is included in the neonicotinoid class of insecticides, is widely used for the control of white grubs on golf courses, sports fields, residential lawns and it is also an excellent product for treating maple trees for the invasive Asian Long horned Beetle and in treating ash trees for another invasive insect, the Emerald Ash Borer. On January 23rd, 2023, the NYSDEC made imidacloprid a restricted use pesticide allowing only NYS certified applicators the ability to use this chemical. Without the ability to apply this chemical, turfgrass sustainability would be greatly compromised due to the damage that can occur in untreated areas. There would be no preventative control for grub control on lawns in Long Island.

As highlighted in a 2016 publication developed during the National Pollinator Summit for the Development of Best Management Practices to Protect Pollinators in Turf and supported by the USDA National Institute of Food and Agriculture, Crop Protection and Pest Management Program, imidacloprid can be safely applied to turf with little to no effects on pollinator populations.

Glyphosate is the most widely used herbicide in the United States. It is used on more than 100 food crops and it is the leading herbicide used for the control of invasive and noxious weeds. As required under the Federal Insecticide, Fungicide and Rodenticide Act, the EPA recently concluded that there are no risks or concerns to human health when glyphosate is used in accordance to its label and there are no carcinogenic effects. Brendan Quirion, formerly an invasive species specialist with The Nature Conservancy, the largest conservation advocacy group in the world said, “As it stands, glyphosate is really the best tool we have for fighting many species of invasive plants when evaluated through an integrated pest management (IPM) approach.”

The decision making on pesticide bans and regulations should continue to be performed by the Department of Environmental Conservation, not legislators.

RECOMMENDATION

Resist the temptation to impose politics over science. Legislative bans of pesticide products, reviewed and approved by NYSDEC, usurp science-based policy, set a bad precedent for New York State and place agriculture and horticulture industries at a significant competitive disadvantage to competition from other states and countries.

IPM's use of best management practices (BMPs) for pest control in homes, commercial and public spaces, parks, golf courses, landscapes, farms and gardens provides for science-based state of the art pest control practices which may not involve pesticides. Nevertheless, pesticides must remain part of the IPM “toolbox” as they can be the best practice for specific pest control situations. If there is need for regulation, then it should come from the Department of Environmental Conservation and not the legislature.