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Testimony to Environment Committee

For Public Hearing on February 19, 2014

Subject: Pesticide Legislation – Bill SB-68 An Act Authorizing The Use Of Certain Microbial And Biochemical Pesticides And Grub Control Products On School Grounds:

Honorable members of the Environment Committee.

SB-68 provides additional safe products that are effective against grubs including milky spore, an insect killing fungus called *Beauveria Bassiana*, an insect killing bacteria called *Bacillus thuringiensis*, as well as biochemicals that disrupt insects mating behavior. It also allows horticultural soaps and oils that can help protect ornamental plants.

The Watershed Partnership supports this bill **except for the clause about grub control agents that have no caution, warning, or danger label.**

The only pesticide that now fits this description is called Acelepryn (Chlorantraniliprole). Acelepryn is a persistent pesticide with a half-life of over 1,000 days and can contaminate groundwater. The New York Department of Environmental Conservation has designated Acelepryn as a restricted pesticide. **New York prohibits this pesticide for use on school grounds Acelepryn is also highly toxic to oysters.** Do you really want to allow free use of a pesticide that is highly toxic to oysters in Long Island Sound?

The best non toxic treatment for grubs are nematodes (a small microscopic worm). I have seen them work successfully on grub infested fields in Branford for two years. These microscopic predators seek out the grub and enter into its body, they multiply rapidly and kill the grub in 24 hours. Then in a week to 10 days, hundreds of thousands of nematodes break out of the grub's dead body to seek out more grubs. Applied properly these microorganisms can be even more effective than other commonly used agents like Merit (Imidacloprid – a neonicotinoid pesticide linked to colony collapse disorder in bees) , and Dylox (Trichlorfon – an organophosphorus pesticide linked to abnormal brain development).

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Attached with this testimony is revised language that we believe makes the bill more clear and adds additional safeguards. In particular to the clause about exempted pesticide bait, it adds the phrase "...in a tamper resistant container. This is to prevent children and pets getting at highly toxic pesticides like rat poison.

It also adds a clause explicitly allowing 25b products that are generally recognized as safe by the EPA.

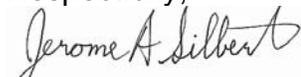
Revised language for SB-68:

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-231a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

As used in sections 10-231b to 10-231d, inclusive, and section 19a-79a, (1) "pesticide" means a fungicide used on plants, an insecticide, a herbicide or a rodenticide, but does not mean a sanitizer, disinfectant, antimicrobial agent or pesticide bait in a tamper resistant container, (2) "microbial pesticide" means a pesticide that consists of a microorganism as the active ingredient, and (3) "biochemical pesticide" means a naturally occurring substance that controls pests by non-toxic mechanisms. (2 4) "lawn care pesticide" means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden, and ornamental sites or areas excluding a lawn care pesticide that is: (A) a microbial pesticide or biochemical pesticide that is registered with the United States Environmental Protection Agency, (B) horticultural soap or oil that is registered with the United States Environmental Protection Agency, and that does not contain any synthetic pesticide or synergist, (C) a pesticide classified by the US EPA as an exempt material under 40 CFR Part 152.25, [and] (3 5) "integrated pest management" means use of all available pest control techniques, including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides.

Respectfully,



Jerry Silbert, M.D.

Dr. Silbert is a physician trained in pathology and laboratory medicine and Executive Director of the Watershed Partnership a nonprofit environmental organization. He has worked closely with the towns of Branford and Cheshire to help them successfully achieve perfectly playable non-toxic sports fields. He has experience in successfully treating grubs with nematodes in Branford. **All the fields and parks in Branford and Cheshire have been treated without the use of toxic lawn pesticides for over 4 years!**