

VIRGINIA TURFGRASS COUNCIL

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January 13, 2021

Liza Fleeson Trossbach
Program Manager, Office of Pesticide Services
Virginia Department of Agriculture and Consumer Services
102 Governor Street, Room LL18
Richmond, VA 23219

Dear Ms. Trossbach,

The Virginia Turfgrass Council is a trade association representing the multi-billion dollar turfgrass and landscape industry. Member companies specialize in lawn care, landscape maintenance, sports fields, golf courses, tree care, water management, irrigation, and environmental protection. They work daily caring for Virginia's outdoor green surroundings and take pride in our communities by enhancing and maintaining green spaces.

The importance of our industry to the Commonwealth of Virginia, the historical safe use of pesticides by turfgrass and landscape professionals, and Virginia Department of Agriculture and Consumer Services' (VDACS) state-wide authority require us to oppose House Bill 2030: Neonicotinoid Pesticides, Local Regulation and Notice; Penalty.

Virginia's turfgrass and landscape industries contribute billions of dollars to the state economy. Last spring, Governor Northam recognized the importance of our industry by deeming our services essential and allowed us to continue operations during the current pandemic. During these past ten months, turfgrass and landscapes have been maintained, tree health has been preserved, and sensitive environmental areas have been protected. Providing extensive employment opportunities is just one of our industry's contributions to the Commonwealth. Workers are hired at wages exceeding federal and state minimum guidelines. Many of these workers are trained and certified to safely apply pesticides.

The continued safe and legal use of pesticides is vital for our industry. Our members who utilize pesticides are trained and pass examinations administered by the VDACS. State regulations require all certified pesticide applicators receive at least six hours of relevant training every two years. Each training program must meet rigorous standards before being approved by VDACS.

Pesticides utilized by the turfgrass and landscape industries have been extensively researched and tested before being licensed at the state and national levels. The Environmental Protection Agency (EPA) conducts the testing and approves the label and the product's uses.

The process of evaluating the effectiveness and methods to safely use a product once all of the toxicology, environmental, residue tolerances have been established is time consuming and extensive. The Federal Government through the EPA and USDA spend years testing and evaluating these products before they can come to market. After the federal labels have been established, the state then allows the products to be registered for sale.

Localities do not have any mechanism to conduct scientific analysis of products. The prospect of allowing individual counties, cities, and towns to additionally regulate pesticides is to move their consideration from the area of science and to place it in the realm of the political with its unavoidable susceptibility to emotional decision making.

Each pesticide has a label which prescribes all aspects of its use. Any actions contrary to the label are illegal and such illegal actions frequently leads to fines and other penalties.

Many pesticides, including neonicotinoid products, contain a Pollinator Protection Box on the label. This box prescribes required actions for protecting pollinators and violating those requirements is against the law.

In addition to pollinator protection actions required by many pesticide labels, Virginia already has an apiary policy protection in place. This policy was established after extensive input by beekeepers, industry leaders, and university experts. The notification requirements prescribed by HB2030 bypass the existing pollinator protection requirements and set a notification standard that is impossible to meet. Providing advance written notice to all addresses within one-half mile of a pesticide application is not possible.

Thank you for taking time to consider our objections to HB2030. If enacted, provisions of that legislation will bypass the authority of a state agency, ignore existing pollinator protection policies, and do irreparable harm to an industry vital to Virginia. We strongly object to this bill.

Sincerely,



Michael Skelton
President
Virginia Turfgrass Council



Tom Tracy, Ph.D.
Executive Director
Virginia Turfgrass Council