



Innovative Products For **Home. Work. Life.**

September 16, 2021

Honorable Steve Englebright (Chair)
New York Assembly Standing Committee on Environmental Conservation
Legislative Office Building 623
Albany, NY 12248

RE: Public Hearing - Neonicotinoid Pesticides

On behalf of the Household & Commercial Products Association, I respectfully submit the following comments in advance of the Standing Committee on Environmental Conservation's hearing on neonicotinoid pesticides.

The Household & Commercial Products Association (HCPA) is the premier trade association representing the interests of companies engaged in the manufacture, formulation, distribution and sale of more than \$180 billion annually in the U.S. of familiar consumer products that help household and institutional customers create cleaner and healthier environments. HCPA member companies employ hundreds of thousands of people globally. Products HCPA represents include disinfectants that kill germs in homes, hospitals and restaurants; air fresheners, room deodorizers, and candles that eliminate odors; pest management products for home, lawn and garden, and pets; cleaning products and polishes for use throughout the home and institutions; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products used every day.

Consumer pest products, some of which may contain neonicotinoid pesticides, allow New York residents in all communities the ability to clean and protect their homes with safe and affordable products against a variety of public health pests. Many of these products — e.g. fly abatement strips, scatter bait, etc., — have no application to plants where bees typically interact with pesticides. As the Committee evaluates the uses of neonicotinoid pesticides, we would appreciate consideration be given to continue product uses for indoor purposes, and other uses that do not pose a risk to the honeybee population. These uses include products applied indoors to abate pests, protect pets from diseases caused by pests, and protect structures from pest damage. An indiscriminate approach to restricting products containing the neonicotinoid substance will harm consumer access to safe and affordable products that work well against pests. Further, any potential action on restricting neonicotinoid pesticides should be consistent with neighboring states that have taken action on this substance, such as the State of Maine which recently enacted a neonicotinoid prohibition law ([LD 155](#)) that specifically exempts product use for indoor pest management, pet products, and use for treating insects outside around structural foundations and other parts of structures. Legislative and legal consistency could help avoid unneeded confusion in the marketplace.

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), the U.S. Environmental Protection Agency (EPA) reviews all current pesticide registrations to ensure they continue to meet the protective FIFRA risk standard in light of new information and evolving science. EPA is currently undertaking registration review of the class of neonicotinoids and expect to finalize the evaluations in 2022¹ and recently released the draft biological evaluations which determine whether they may affect one or more species listed under the Endangered Species Act (ESA) or their designated critical habitats.² Furthermore, a comprehensive reports by U.S. Department of Agriculture (USDA) and the USDA National Agricultural Statistics Service (NASS) describe a broad range of issues or “stressors” negatively affecting bees, including habitat loss, parasites and diseases, lack of genetic diversity, climate change, pesticides, reduced forage options and pathogens. The research and data collected nationally³ and specific to the northeast⁴ shows the leading stressor to honeybee colonies is overwhelmingly varroa mites. We support initiatives to promote pollinator health and believe its complexity calls for thoughtful, stakeholder engaged solutions. HCPA is dedicated to working with states and stakeholders to assist in pollinator health and stewardship efforts and supports the New York State Pollinator Protection Plan developed by the Departments of Agriculture and Markets, Environmental Conservation, and the Office of Parks, Recreation and Historic Preservation, and its evergreen review and consideration of the matter⁵. EPA’s Pollinator Protection Plan sets forth methods of using neonicotinoids and other products to further reduce the risk of exposure to pollinators.⁶

We urge you to recognize the EPA Pollinator Protection Plan and allow the federal and state regulatory system to continue to regulate the use of pesticides. The U.S.EPA and the NYS DEC are in strong positions to determine appropriate pesticide use through continued evaluation of the latest scientific findings on pollinators, the environment and public health.

Sincerely,

Michelle L. Kopa

Michelle Kopa
Director, State Government Relations & Public Policy – Eastern Region

Cc: New York Assembly Standing Committee on Environmental Conservation

1667 K Street NW, Suite 300, Washington, DC 20006 | 202-872-8110 | www.theHCPA.org

¹ <https://www.epa.gov/pollinator-protection/schedule-review-neonicotinoid-pesticides>

² The draft BEs find that each of these chemicals is likely to adversely affect certain listed species or their designated critical habitats. The draft Bes are currently open for comment <https://www.epa.gov/pesticides/epa-releases-draft-biological-evaluations-three-neonicotinoids-public-comment>

³ “Honey Bee Colonies” Released August 3, 2020, by the National Agricultural Statistics Service (NASS), Agricultural Statistics Board, United States Department of Agriculture (USDA), <https://downloads.usda.library.cornell.edu/usdaesmis/files/rn301137d/nc5819380/t148g6070/hcny0820.pdf>

⁴ “Northeastern Region Honey Bee Colonies Report” USDA, United States Department of Agriculture, National Agricultural Statistics Service, August 17, 2018, https://www.nass.usda.gov/Statistics_by_State/Pennsylvania/Publications/Survey_Results/2018/2018%20Northeast%20Honey%20Bee%20Colonies%20Release.pdf

⁵ 5 2020 New York State Pollinator Protection Plan Update, New York State Departments of Environmental Conservation, and Agriculture and Markets, <https://agriculture.ny.gov/system/files/documents/2021/02/pollinatorreport.pdf>

⁶ “Protecting Bees and Other Pollinators from Pesticides.” EPA, Environmental Protection Agency, 8 June 2018, www.epa.gov/pollinator-protection