



October 17, 2013

The Honorable Luis Alejo
Chair
Assembly Committee on
Environmental Safety and Toxic Materials
State Capitol
Sacramento, California 95814

The Honorable Susan Talamantes-Eggman
Chair
Assembly Committee on Agriculture
State Capitol
Sacramento, California 95814

Subject: Joint Oversight Hearing on Bee Health Issues held on October 16, 2013

Chairman Alejo and Chairwoman Eggman:

Thank you again for the opportunity to attend yesterday's joint hearing and to share my experience and thoughts. I applaud you for convening such an important oversight hearing that brought in scientific experts on bee health issues in the US and in California, leadership of the California Department of Pesticide Regulation and impacted stakeholders. I believe you received a great deal of valuable information from the experts and I am sure you will be able to use it to work toward solutions that work for agriculture and beekeepers.

Unfortunately, we were running out of time as the last panel was called to present. In light of the time constraints, I significantly cut my comments to focus on the path forward and potential next steps. With this letter, I submit the points I intended to make. While a representative of the registrant community, my company, AMVAC, does not have any neonicotinoids registrations. In fact, one could argue that my company's products would see increased sales if neonicotinoids were banned. Yet, I, nor my company, support such a ban because it's not supported by science.

Most important, I sincerely believe there are ways to continue to protect California agriculture from pests through the use of insecticides, fungicides, herbicides, Insect Growth Regulators (IGRs), etc. in integrated pest management (IPM) programs that also protect bees. Both crop protection and bees are critical to agriculture's success and we must keep that as the goal. Choosing one over the other is not an option.

Pesticides are the easy, emotional target but not the appropriate target for blame in bee decline. When you asked the bee experts what were the two most important elements impacting bee health, they cited forage and control of varroa mite. This is supported by most of the research conducted around the world. The one common denominator is the varroa mite. In Australia, many different pesticides are used, including neonicotinoids. However, they have not seen the bee issues we have in the US. They also do not have the varroa mite –no coincidence.



US EPA and the California Department of Pesticide Regulation (CDPR) are both charged with the responsibility to evaluate all pesticides, including neonicotinoids. As you heard yesterday, CDPR has initiated a thorough reevaluation of the entire class of neonicotinoids. Regulatory actions must be based on risk assessments that utilize reliable data and sound science. As Director Leahy stated clearly, the recent action in the European Union (EU) was not based on sound science. The European Food Safety Authority (EFSA) did not make the decision on neonicotinoids. Rather, it was a political vote of the Commission. Contrary to what you heard yesterday, the two year ban will go into effect this coming December. It is in no ones' best interest to have pesticide decisions made for political reasons, especially when some of the world's best scientists and toxicologists can be found in the regulatory agencies charged with making these decisions. These actions must be based in science through a process transparent to all stakeholders.

Despite some of the comments made yesterday, the facts are pesticides are among the most studied and regulated compounds. That is certainly the case for any product used in California. In fact, many believe of all the possible factors impacting bee health we probably know the most about pesticides due to the research and data generated and assessed prior to a product ever being licensed for use. Registrants provide US EPA and CDPR with hundreds of studies so that regulators can determine safe uses. Potential impact to bees is something both US EPA and CDPR evaluate. Specific studies and data are submitted showing the potential impact on bees. These risk assessments are the basis for label language. For example, there are labels today that very clearly say "Do not apply this product during bloom" or "Do not apply this product when bees are present." If the data and results of the risk assessment demonstrate potential harm to bees, the label language will warn users and provide directions on if and how a product may be used when bees are present.

A lot of good work is underway now that should continue. EPA, through its Pesticide Program Dialogue Committee (PPDC) has four workgroups addressing bee health. The areas being addressed are:

- best management practices
- enforcement
- pesticide labeling
- communication

USDA is also engaged and convened a stakeholder meeting in October of 2012 that resulted in a report with very specific recommendations to address bee health. The National Cotton Council has an initiative underway pairing up growers and bee keepers to identify and implement best management practices that protect cotton and bees. They are also pushing USDA to convene a varroa mite summit. In Florida a meeting was organized with regulators, beekeepers and growers to implement solutions. California Citrus has a very effective program in place that was the result of growers, regulators and beekeepers talking and finding a solution. There is no



one solution that will work for every crop in every location. However, there is little doubt that local solutions will be the most effective and most likely to be implemented.

Registrants are actively engaged working to be part of the solution as well. Research is underway for products to control varroa mite that includes harnessing the promise of recent technological advances. Best management practices for use of our products are being identified and shared. Seed treatments have already been improved to reduce potential for dust to come off during application.

This issue is very complicated and all agree there are multiple factors impacting bee health. Some crops need bees for pollination, some do not. Some crops are needed by the bees for nutritional reasons but the grower doesn't need the bees to produce the crop. Some agricultural practices can be modified, while some cannot without creating added expense or reducing yield. As an example, spraying products at night could work in some instances but not in all. The size of a buffer zone has the possibility of impacting a neighbor's ability to utilize his or her own property. In addition, growers and applicators need to know where bees are located and how best to communicate with beekeepers to help protect them. We need to keep working to find solutions that are protective of both agriculture and bees and allow both to remain in business.

The keys to success will be keeping all stakeholders engaged, all interests considered and open communication between stakeholders. We need to identify, implement and support best management practices for beekeepers and for agriculture in working with bees. We need to continue to improve educational opportunities for growers, beekeepers, applicators, Pest Control Advisors (PCAs), etc. We need to support more research at the State and Federal level. We need to identify and open up safe habitat and forage opportunities for bees.

Thank you again for the opportunity to participate in the hearing and to follow up in writing with comments. If I can ever be of any assistance as you work through this complicated issue, please do not hesitate to contact me.

A handwritten signature in black ink that reads "Cindy Baker Smith". The signature is written in a cursive, flowing style.

Cindy Baker Smith

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