



Pollinator Stewardship Council

P.O. Box 304, Perkinston, MS 39573

www.pollinatorstewardship.org

832-727-9492

May 28, 2015

Contact: Michele Colopy, Program Director

progdirector@pollinatorstewardship.org

New Rule Does Not Protect Pollinators

Thursday, May 28, the EPA proposed a new rule for foliar applications of acutely toxic pesticides on honey bees contracted to pollinate crops. The proposed new rule would prohibit the foliar application of acutely toxic pesticides to a crop while it is in bloom, and honey bees are hired to pollinate the crop. The EPA states this proposed new rule creates a “pesticide-free zone.” This will create neither a pesticide-free zone, nor protect honey bees and native pollinators from the impact of bee toxic pesticides. This proposed new rule implies needed protection, where it is not needed. Growers who invest in renting bee hives for crop pollination understand the value of honey bees. Specialty crop growers will not intentionally harm the livestock that helps create their crop. Crop pollination contracts have had guidelines written into them protecting honey bees. The EPA is trying to narrow pollinator protection to specialty crop areas only, and throw the rest of the ecosystem “under the bus.” Pollinators must be protected all year long in every setting, in order to be abundant and healthy for the essential pollination moments.

It is the neighboring fields to specialty crops, crops that are part of creating a honey crop, and mosquito control programs that continue to put pollinators at risk. The new pollinator protection statement for this proposed New Rule states:

“It is a violation of Federal law to use this product in a manner inconsistent with its labeling. FOR FOLIAR APPLICATIONS OF THIS PRODUCT TO SITES WITH BEES ON-SITE FOR COMMERCIAL POLLINATION SERVICES: Foliar

application of this product is prohibited from onset of flowering until flowering is complete when bees are on-site under contract, unless the application is made in association with a government-declared public health response. If site-specific pollinator protection/pre-bloom restrictions exist, then those restrictions must also be followed.”

The prohibition still contains “unless” and relates mostly to mosquito control programs and public health emergencies. We can protect public health and protect honey bees. Mosquito control pesticides should be applied when they are most effective at night, when honey bees are not active. This risk and other risks to pollinators are tasked to the State, as they develop individual State Pollinator Protection Plans. These local plans to be developed by local stakeholders may provide “customized mitigation measures” to protect honey bees and native pollinators from pesticide-related risks.

The proposed New Rule mentions other short-comings of protecting pollinators from pesticides, stating the need for additional research on the impact of tank mixes of pesticides with fungicides, specific native pollinator studies, systemic pesticides, insect growth regulators, and “prolonged residual toxicity” of pesticides. While the proposed New Rule will remove the 48 hour notice to move bees when applying neonicotinoid pesticides on crops under contracted pollination services on the Federal pesticide label; some state pollinator plans still contain the 48 hour notice to move honey bees as a mitigation measure. This proposed New Rule will affect current pollinator plans as states cannot create laws that are less stringent than federal laws. EPA is leaving it to the States to create local mitigation solutions when pollinated crops are not the problem.

This proposed New Rule misses the mark completely, as the big problem continues to be tank mixes. Due to a lack of science and scrutiny by EPA, farmers are operating in the dark about tank mixes. Most damage happens to bees from adjacent croplands, and bees not under pollination contracts exposed to tank mixes of pesticides. Farmers are not provided with information on pesticide labels of the synergistic effects of tank mixes. Farmers are not given the information of how to protect the bees, as tank mixes are not regulated. A farmer can perform their due diligence reading the pesticide label of a fungicide, an herbicide, an insecticide, and individually all three products might be slightly toxic or moderately toxic, but

combined, the synergism that occurs is unknown. The synergism of tank mixes is apparent when honey bees are killed. This and other exposure routes cannot be addressed through the 15 year cycle of pesticide registration reviews or bee kill incident report data.

A “pesticide-free zone” cannot be called that when only one third of pesticide applications are addressed. The proposed new rule prohibits use of the foliar application of pesticides while the bees are in the blooming crop; but what about the residue levels of systemic pesticides in the soil and water.

Honey bees engaged in honey production are not addressed in this new rule. Fifty percent of the American honey bee stock will be in numerous upper Midwest states in the summer, making a honey crop off of alfalfa, sunflowers, and wildflowers. If this proposed new rule is as Jim Jones, EPA Asst. Administrator states a “function of where the bees are,” then the proposed new rule must protect bees wherever they are located. Pollinators must be protected all year long in every setting in order to be abundant and healthy for the essential pollination moments.

The proposed New Rule will be open for public comment for thirty days. This proposed New Rule will impact seventy-five active ingredients in pesticides (insecticides and herbicides only, not fungicides) and potentially impact one thousand pesticide labels. The active ingredients affected will be those causing acute risk to honey bees on an acute contact basis. New pesticide labels due to this new rule will not be in the marketplace until 2017. The Pollinator Stewardship Council will be submitting our public comment to the EPA docket; and we will reach out to our beekeeping supporters to submit their comments as well, to EPA, and individual members of Congress. For the beekeeping industry to be able to pollinate one third of the American food supply, to be able to produce a honey crop for individual consumption, as well as for the food industry, we must be able to protect our honey bees at all times, in all crops.

