



MOFGA Comments In Opposition To
LD 620 - *An Act to Promote Free Trade by Preventing Municipalities from
Prohibiting the Sale of Legal Goods*

March 16, 2023

Dear Senator Nangle, Representative Stover and members of the Joint Standing
Committee on State and Local Government,

My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA). A broad-based community, MOFGA is creating a food system that is healthy and fair for all of us. Through education, training and advocacy, we are helping farmers thrive, making more local, organic food available and building sustainable communities. MOFGA certifies 535 organic farms and processing operations representing roughly \$90 million in sales and we are working hard to create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent.

I am submitting comments in opposition to LD 620 - *An Act to Promote Free Trade by Preventing Municipalities from Prohibiting the Sale of Legal Goods*. We ask you to reject this bill for the same reason that your committee, in 2018, rejected LD 1853 - *Act To Ensure the Safe and Consistent Regulation of Pesticides throughout the State by Providing Exemptions to Municipal Ordinances That Regulate Pesticides*, and, in 2017, rejected LD 1505 - *An Act To Create Consistency in the Regulation of Pesticides*. In 2021, the Joint Standing Committee on Agriculture Conservation and Forestry also rejected a pesticide preemption measure in LD 1407 - *An Act To Provide That a Forestry Operation That Conforms to Accepted Practices May Not Be Declared a Nuisance*. LD 1407 was based on a template from the American Legislative Exchange Council (ALEC), which seeks to roll back environmental regulations in state legislatures across the country.

The Legislature has seen through repeated attempts to eliminate local control and specifically take away a community's right to protect itself from harmful and unnecessary chemicals. We urge you to hold firm, honor the thoughtful regulatory work of municipalities throughout the state, and allow the BPC the space and funding it needs to achieve its mission of reducing Maine's reliance on pesticides.



If enacted into law, LD 620 would create a permanent barrier to adoption of any new pesticide ordinances that includes a ban on sale of harmful and unnecessary pesticides in Maine. This bill seeks to set up a dangerous precedent for Maine communities, preempting local control without demonstrating any benefits for human health, environmental protection, or the local economy.

MOFGA has been advocating for stronger regulations of pesticide use for more than 50 years. Since our beginning we have advocated for policies that reduce all farmers' and homeowners' reliance on pesticides, and all citizens' exposures to pesticides in their diets and in the air and drinking water. We believe that the dramatic increases since the 1950s in childhood and adult cancer rates, as well as abnormalities in the immune, neuro- and endocrine systems, are directly related to the toxins that increasingly contaminate our environment and threaten the very existence of the pollinators on which our food systems rely.

Through MOFGA's history we have worked closely with communities that have embraced local ordinances on pesticide use, and we are very encouraged by the initiative that more than 30 Maine municipalities have taken. The cities of Cape Elizabeth and Hallowell are currently working through ordinances to restrict the use of pesticides in their towns. We believe that there are organic, mechanical and biologic alternatives to most of the practices offered by industrial agribusiness, and we are gratified to see the successful implementation of organic landcare ordinances across our state.

We also are very happy about progress made with pesticide policy during the last legislative session. Maine banned the use of chlorpyrifos, restricted the use of neonicotinoid pesticides for residential landscaping purposes, reformed the composition of the Board of Pesticides Control to reduce conflict of interest, banned glyphosate and dicamba use on school grounds, and addressed concerns about PFAS in pesticides. Now Maine is leading the country with action to phase out pesticides containing per- and polyfluoroalkyl substances (PFAS). We continue to advocate for reform in pesticide policy at the federal level. We want to keep lines of communication open and find solutions for minimizing Maine's reliance on pesticides.

Community organizing around pesticides is also about protecting local businesses and farms, and creating new economic opportunities. For example, beekeepers are concerned about the adverse impact of neonicotinoid pesticides commonly used in agriculture, landscaping plants and in treated seed. We know that neonics can significantly impair the ability of otherwise healthy honey bees to fly, raising concerns

about how pesticides affect their capacity to pollinate and the long-term effects on the health of honey bee colonies.

More generally, organic producers are concerned about the potential loss in value of certified crops due to pesticides drift. Because there are inadequate buffer zone protections in place in Maine, organic growers have to sacrifice buffer zones on their own property to protect themselves from conventional pesticides sprayed on adjacent properties.

We must not allow our health, our right to know, our community organizing efforts, and our local economy to take a back seat to the pesticides giants like Bayer (Monsanto), BASF, Corteva, Dow Chemicals and Syngenta.

Thank you very much for your consideration.

Respectfully,

Heather Spalding
Deputy Director
Maine Organic Farmers and Gardeners Association

The Maine Organic Farmers and Gardeners Association (MOFGA) started in 1971 and is the oldest and largest state organic organization in the country. We're a broad-based community that educates about and advocates for organic agriculture, illuminating its interdependence with a healthy environment, local food production, and thriving communities. We have 15,000 members, we certify more than 500 organic farms and processing facilities representing \$90 million in sales, and we are working hard to provide training and create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.