

States of EPA Region 4 – Pollinator and Illegal Pesticide Use and Distribution Issue

Due to the emergence of Colony Collapse Disorder (CCD) and an increased awareness in over-wintering losses that came to the forefront of public attention between 2006 and 2014, State Lead Agencies have since been involved in numerous pollinator health, pollinator protection, and pollinator habitat initiatives. As shown in the AAPCO's National Assessment of Managed Pollinator Plans, nearly 90% of all States are involved in improving pollinator health in various ways. The survey can be found at:

<https://aapco.files.wordpress.com/2019/12/mp3-assessment-dec-2019.pdf>.

States have accomplished many goals in pollinator protection, including increasing habitat for all types of pollinators. They have conducted outreach across the nation to increase awareness of the important role pollinators play in our agricultural economy and the environment that the pollinators serve. We have sponsored meetings and conducted recertification classes that address pollinator protection for the agricultural community. We have invested money in mapping programs that facilitate applicator awareness of the "Pollinator Awareness Zone" by locating the areas managed bees occupy. We have adopted many means to decrease the effect of pesticides on pollinator health.

Considering all the work accomplished over the last six years, there is one issue that must be brought to the forefront concerning pollinator protection and improving hive health, and that is the willful misuse of pesticides by the pollinator industry. While we acknowledge that many members of the pollinator industry are vigilant in using pesticides correctly and only in a manner consistent with the labeling, there are significant portions of the industry have seemingly adopted pesticide misuse as common practice. We are not trying to indict an entire industry as corrupt and placing all pollinators at risk, but it is the shared experience among the states that there are many beekeepers and others within the allied industries who are actively and intentionally promoting illegal pesticide use. Most of the misuse concerns are related to products targeting varroa mites and small hive beetles.

It is sad and alarming, but this issue exists among all parties involved in managing pollinators, from manufacturers and distributors, to retail establishments and the end users of these pesticide products. There is a prominent culture of encouraged negligence promoting the use of certain products over others because they are interpreted as similar enough to products that have the correct label language and may have a cheaper price tag. The mentality of, "wink wink, it is OK" and "it's the same as the other expensive stuff, just cheaper", runs rampant throughout the industry. This practice of negligence is harmful to the misinformed beekeeper, those that regulate these products, and ultimately the bees themselves. Many products are misrepresented in trade magazines, over the internet, and at State and local beekeeper meetings. Some State Beekeeper Associations organizations and State Lead Agencies have banned the presence of these products at State beekeeper meetings, while others allow the "misbranded" products to be prominently displayed and promoted at these events. We think it is important to address this issue in order to promote consistency within the industry and among regulatory agencies in enforcing against such illegal pesticide use practices.

Beekeepers are adamant in their demand that all applicators in agricultural and landscape businesses strictly follow all guidelines set by pesticide labels, yet the most prevalent and egregious misuse of pesticide products is taking place within their own industry. This misuse of pesticide products puts the beekeepers and the products that they produce at an increased risk of exposure and ultimately, can result in illegal pesticide residues in their honey.

It has been brought to the attention of Federal and State regulators that there is not a level playing field in pesticide enforcement concerning the agricultural industry and the beekeeper industry. It has been further stated that if this unequal playing field is not addressed by the regulatory community, growers will bring this issue to the attention of the public, causing harmful media attention to the bee industry.

The Region 4 States urge EPA to assist them by increasing efforts to address misbranded and unregistered pesticides in the channels of trade targeted at pests of beehives, most notably varroa mites and small hive beetles. Many of these products are produced and purchased outside of Region 4. With EPA's assistance we can better address these products and issues nationwide and increase safety for applicators and the food supply.

We also urge the Agency to increase compliance assistance and outreach materials to address these deficient areas regarding beekeepers and the beekeeping industry. To ensure national consistency in messaging and enforcement, we believe it better addressed at a Federal level than through individual State efforts.

We also encourage States to leverage their resources by coordinating with the Apiary Services Inspection groups within their States. The Apiary Inspectors Association is aware of the misuse of pesticides in the industry and are in support of increased efforts for pesticide enforcement for beekeepers. Apiary Inspection Services would likely be willing to assist in documenting non-compliant areas within each State.

We also recommend that EPA amend the FY22-25 Guidance Document to address concerns of pesticide misuse, product misbranding, unregistered product distribution, and targeted literature containing false statements that States have found to be so prevalent within the beekeeping Industry.

If you have any concerns or questions, please feel free to contact....