Maine Board of Pesticides Control

Miscellaneous Pesticides Articles January–February 2013

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PRODUCE INDUSTRY

Maine growers get pesticide licenses

By JOHN MAGUIRE, Staff Reporter | Posted: Tuesday, January 15, 2013 - 9:30am

Booths at the 72nd Maine Agricultural Trades Show, held January 8-10 at the Augusta Civic Center. Below: Trades Show participants taking the Board of Pesticides Control Applicator License exams. JOHN MAGUIRE/Wiscasset Newspaper

Alna fruit and vegetable grower Tom Albee said he attends the Maine Agricultural Trades Show every year to gawk at shiny new tractors, to chat with other farmers and to find new seeds for the upcoming growing season.

But this year was a little different; he joined dozens of others from around the state and took the Board of Pesticide Control Applicator License exam.

The Maine Legislature passed a law in spring of 2011 requiring growers who sell more than $1,000 worth of edible plants each year to obtain the license by 2015. Once obtained, the license is good for three years.

Growers who use pesticides on plants and plant produce for sale to the general public are required to have the training and certification. This also applies to growers who make bread, jam, french fries, wine, cider, juice and other products from their harvest of crops.

Albee took a 3-hour training class offered through the University of Maine Cooperative Extension and the Maine Board of Pesticides Control before taking the exam. Some of the topics at the trades show covered discussing pesticides control with customers and neighbors and management strategies for pest control.

The word “pesticide” is universally used to describe a variety of substances Albee and other farmers of small operations use to mitigate the damage caused by insects on plants. Albee said he uses a concoction of herbicide and insecticide sparingly.

“I try to keep it as organic as possible,” he said, adding that the mixture he does use on his plants is not harmful to humans.

While he has until 2015, Albee said he wanted to get ahead and be fully certified. Asbestosis, a chronic lung condition caused by exposure to the insulating material asbestos, slows him down, but Albee says he is going to continue to farm as long as he can. “I like what I do,” he said.

He opens his self-serve roadside stand in late spring and also sells produce annually at the Gardiner Farmer's Market. Some of the vegetables he grows and sells are: corn, tomatoes, cucumbers, winter and summer squash, peas, beans, potatoes, peppers, beets, carrots, a lot of lettuce, cauliflower, broccoli, cabbage, eggplant, radicchio and red and white onions.

This year he plans on growing a sweet variety of onion, as well as a variety of lettuce called salanova whose leaves grow from the plant's base.

“They're supposed to be sweeter, tastier,” Albee said. “I'm trying it for the first time this year and I hope it will work out for me.”

Albee's stand is at 1628 Alna Road in Alna.

More information about pesticides and licensing can be found on the Maine Board of Pesticides Control website.

The exam is based on the Pesticide Education Manual, available through the University of Maine Cooperative Extension. Click here for a copy or call 207-581-3880.

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Portland Press Herald
1/14/13

Pesticide forum may have both sides buzzing

Scarborough's town manager says it's too early to assess the 2011 restriction on synthetics.

By North Cairn ncairn@pressherald.com
Staff Writer

A public forum Monday night to discuss organic pest management on town property in Scarborough is billed as an educational gathering, but it could end up being a platform for opponents to let town officials know just how bugged they are by the move away from synthetic pesticides.

In 2011 Scarborough adopted a policy that largely prohibits the use of chemical pesticides to control insects and weeds at schools and on playing fields.

"There are people who are very, very passionate on both sides," said Town Manager Tom Hall. "And, we've had one year's experience, so there hasn't been enough time to assess success."

The Scarborough conservation commission, the town's pesticide management advisory committee and members of the grassroots organization Citizens for a Green Scarborough are hosting the event, which they hope will be an introduction to the policy for residents not yet familiar with the program.

But the forum also is being viewed by some residents as a potential faceoff between supporters and opponents of the policy.

"We know there is concern about the policy, but our job is not to be confrontational," said Susan DeWitt Wilder of Citizens for a Green Scarborough. The group "is concerned that there is some resistance," she said, but "we want to keep it friendly."

The town's pesticide management advisory committee also wants to make sure that "we're meeting the expectations of the policy," DeWitt Wilder said.

Hall said there was strong opposition to the policy when it was first proposed in 2010. "And there certainly still are some detractors," he said.

Under the policy, the town must avoid synthetic pesticides, except under conditions deemed to constitute an emergency or preventable crisis, such as public health problems transmitted by insects, including West Nile virus and Eastern equine encephalitis (EEE). Those problems prompted spraying in some other Maine communities last summer. Scarborough has invoked the emergency provision twice, but in both instances -- ultimately decided by the town manager -- the issue was not about health risks. Each chemical application was an attempt to eradicate grubs that were destroying turf on athletic fields, said Hall.

Last summer, he said, it was the town's bad luck to institute the policy during what turned out to be "the worst season in modern history for grubs." The pests were so prevalent, "we were at risk of losing our (athletic) fields," Hall said. "The use of synthetic pesticides helped reduce the grubs, but were not 100 percent successful."

With the ordinance, Scarborough has taken the position that eliminating pesticide use wherever possible on town land "is in the best interest of public health." But the ordinance goes a step further by encouraging "reduction and elimination of pesticide use on private property" as well.

The town policy states that "all pesticides are toxic to some degree and (their) widespread use is both a major environmental problem and a public health issue. Federal regulation of pesticides is no guarantee of safety."

The debate over the policy may be occurring in part because Scarborough is "a little ahead of the curve" on using organic methods of pest control, Hall said. "This issue is sweeping the country," and many people are not sure yet where they stand, he said.

That indecision is another impetus for the forum, which will include a presentation by a national pesticide activist about how organic methods can best be used under a variety of conditions.

The forum is open to the public and will be held at 6:30 p.m. in Scarborough Town Hall at 259 U.S. Route 1.

North Cairn can be contacted at 791-6325 or at:

ncairn@pressherald.com

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Scarborough Leader

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Pesticide transition continues

By Michael Kelley Staff Writer

Scarborough is in the midst of a transition from a synthetic pesticides program to an organic one free of dangerous man-made products.

On Monday, Jan. 14, the Scarborough Conservation Commission and the Scarborough Pest Management Advisory Committee hosted a forum to educate the public about the benefits of the organic approach and to update them on how the transition was going thus far.

“Our role is to really increase awareness of the value of natural resources in town and work to reduce potential damage to the resources,” said Peter Slovinsky, chairman of the conservation commission.

Much of the education about the dangers of synthetic pesticides has been spearheaded by Citizens for a Green Scarborough, a group started in January 2011 by concerned parents and community members.

Marla Zando, one of the group’s founders and a member of the Scarborough Pest Management Advisory Committee, said she began to look into the possibility of Scarborough adopting an organics-only policy on town-owned properties in 2010 after she read an article by Paul Tukey, a safe lawn advocate. Of particular concern, she said, was the impact synthetic pesticides had on children and wildlife.

“The negative impacts are amplified in the bodies of children,” Zando said. She connected with Karen D’Andrea, a former town councilor, Eddie Woodin, a lifelong birder and Mark Follansbee, a toxicologist, to look into to the issue and bring it to the Town Council’s ordinance committee.

On Sept. 21, 2011, a policy to restrict the use of synthetic pesticides in town parks, schools and other municipal properties was passed by the Town Council. In spring 2012, Town Councilor Richard Sullivan attempted to reverse the policy, but the effort fell short.

The policy states that Scarborough “refrain from the use of pesticides upon property it owns, uses or controls, except in situations that pose an imminent threat of serious injury to persons, property or agriculture.” The policy also outlines posting and notification requirements should pesticides, organic, or otherwise, be used.

The Scarborough Pest Management Advisory Committee was formed to enforce the policy and approve the products and applications made to town-owned property.

“This policy is protecting our children and animals, our signature marsh and beaches, our shellfish community and the soil below our turf fields,” Zando said.

In late May, the town awarded a yearlong contract to Dave Melevsky, president of Go Green Landscaping, to maintain town property using an organic approach. Scarborough Town Manager Tom Hall said the contract with Go Green Landscaping runs through May 2013, but has a one-year renewal option.

Hall said $91,000 had been budgeted for athletic fields maintenance, including $75,000 for turf management. To date, Hall said $91,400 has been spent. He expects spending an additional $12,000 for the spring application for the fields. A number of unexpected costs, such as $8,800 for additional grub treatments at Wiley Recreation Facility and Scarborough Middle School fields, drove up the costs.

“We can expect to spend an additional $12,000 on turf management through the end of the fiscal year, so it is incumbent on myself and staff to find resources to cover that overage,” Hall said.

Melevsky said he is happy about what has been accomplished to date.

“Overall the transition has gone well. I am very happy with the results,” Melevsky said. “The fields are healthy, they are progressing quickly and they are safe.”

Chip Osborne, president of Osborne Organics, a natural turf management company in Marblehead, Mass., said he has been impressed with how well the fields in Scarborough have taken to the organic approach from when he first saw the fields in May 2012 to October 2012, when he took photographs. Osborne, an expert on organic pest management, was invited to be the guest speaker at the forum.

Osborne said the organic approach, which only uses products derived from nature, is scientifically based and puts a “system in place so problems don’t get out of control.” Just like synthetic products, Osborne said organic products have to be used correctly and managed properly.

Osborne has extensive experience in both synthetic and organic approaches. Osborne used synthetic pesticides for 20 years while operating a commercial greenhouse, before abandoning them in the mid-1990s, when he began to question the safety of such products.

He said whether people agree with the synthetic pest management approach or not, the market is changing and organic products are becoming more popular.

Jeff O’Donal, who operates O’Donal’s Nursery on County Road, said his store is an example of that. He said O’Donal’s Nursery used to have an entire room of synthetic pesticides. Now the stock has been reduced to a single shelf of synthetic pesticide and organic products take up much more space.

Woodin said he has seen greener fields as a result of the organic turf management, which could serve as an example for other communities across the state.

“Scarborough is the epicenter of athletics and to see the town go organic and have the fields stand up sends a great message statewide,” Woodin said, adding a legislator from Falmouth is interested in proposing a statewide resolution that bans synthetic products on town/school properties.

John Cole, a member of the Scarborough Board of Education, thanked the members of Citizens for a Green Scarborough and the pest management advisory committee for the work they have done. However, Cole said he hopes the effort goes further.

“Twenty or 30 years from now, our children will be the benefactors of what we are doing now and what we continue to do,” Cole said. “I would like to see (the policy) extended to all homeowners.”

Encouraging homeowners to adopt a pesticide-free approach to their lawn care is one of the goals Citizens for a Green Scarborough came up with in October, when a group of citizens came together at the Scarborough Public Library to outline a new environmental vision for Scarborough.

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Portland Press Herald

PRINTTHIS

February 17

State board may relax pesticide notification

But the proposal is raising concerns among organic farmers and environmental groups.

By North Cairn ncairn@pressherald.com
Staff Writer

The state Board of Pesticides Control is considering a proposal to relax public notification requirements for pesticide spraying, so towns can respond more quickly to control mosquitoes or other insects that can transmit dangerous viruses.

Today's poll: Pesticides

Should the state Pesticide Control Board relax some of its spraying regulations?

- Yes
- No

Vote View Results

Director Henry Jennings said the board is recommending changes after consulting with the federal Centers for Disease Control in Atlanta and Maine's CDC on preparing for public health threats from West Nile virus, Eastern equine encephalitis or similar diseases.

"It would be a nightmare" for a town to try to initiate a widespread spraying program in the middle of an outbreak under existing pesticide regulations, Jennings said.

But the proposal is raising concerns among organic farmers and environmental groups about potential pesticide exposure to people and crops.

Under existing rules, cities and towns decide whether to conduct spraying. But the process is so complicated and cumbersome that municipalities haven't done adult-mosquito control work in some time, Jennings said.

Before spraying can be done, a town must notify all affected residents and get their permission for either ground or aerial spraying. Individuals could opt out of a spray program, Jennings said.

The proposed changes would set up two levels of response. If a virus is present in a specific area, a town could do ground spraying, but it would have to give advance notice to all landowners. Anyone who did not want their property sprayed could opt out by letting the town know, Jennings said.

However, if the state CDC recommends spraying, the town could go ahead with ground or aerial spraying, and the public notice could be more general, through media outlets or websites, for example. Residents still could request to opt out of ground spraying, but not aerial applications.

Both the advance notification and the exclusion provision are meant to ensure that the use of pesticide spraying will not catch communities by surprise.

"I have found that the combination of surprise and pesticides is a bad combination," Jennings said. "That's the last thing you want."

Even if the proposed changes are approved -- by the board and later the Legislature -- it does not mean that pesticides will necessarily be used for mosquito control in Maine. "In fact," Jennings said, "I think everyone is hoping we will not have to go down that road."

EEE is a more serious illness than West Nile. In 2012, there were no human cases of EEE in Maine. One person tested positive for West Nile late in the 2012 season; he recovered.

Rare among humans, EEE averages six cases a year nationwide. It is regarded by the CDC as "one of the most severe mosquito-transmitted diseases in the U.S.," with about a third of the afflicted dying and most survivors suffering significant brain damage, according to the centers' technical fact sheet.

"You don't want to get EEE," Jennings said, adding that coming up with the right approach for preventing these illnesses involves weighing all options before acting.

"There's this balancing act out there," he said, between the risks of pesticide exposure and disease.

Stephen Sears, Maine state epidemiologist, said towns should spray "only if there are very significant and critical human-health considerations."

He said the proposed rules changes reflect "the need to be able to respond to an emergency (in) a more nimble way ... to protect people, and quickly."

Compared with other diseases, both West Nile and EEE are relatively unusual, if not rare. The most common vector-borne illness, Lyme disease, is transmitted by ticks, and the CDC reports that 20,000 new cases are reported every year. That number probably represents only 10 percent of the actual number of cases -- most of which are never reported -- the agency says.

Federal CDC officials report that less than 1 percent of people infected with West Nile will develop serious illness. Among patients with severe illness, the fatality rate ranges from 3 to 15 percent, with the highest rates occurring among the elderly.

Jennings said the board expects that the proposed rule changes are likely to generate controversy, and some groups are already concerned -- especially organic farmers.

Katy Green, organic transitions director with the Maine Organic Farmers and Gardeners Association in Unity, said the nonprofit organization, which represents some 7,000 members in Maine, is worried about "the feasibility of limiting aerial spraying."

If an organic farmer's fields or orchards are inadvertently hit by drifting spray, they "couldn't sell any of those products as organic," she said. "They're worried about their livelihoods."

Organic growers and farmers in York County and some other areas of southern Maine -- where the incidence of West Nile- and EEE-infected mosquitoes has tended to be higher -- would likely be especially vulnerable to the consequences of widespread spraying, she said.

But others characterized the board's action as a necessary step.

"What the state is doing is being prudent to be prepared," said Ted St. Amand, president of Atlantic Pest

Solutions of Arundel, a company that handled ground spraying around two elementary schools in Lebanon last summer.

Widespread spraying involves the use of nonselective or broad-spectrum pesticides, which are designed to accomplish "a flash kill of adult mosquitoes," St. Amand said. He said the poison will also kill other species of insects.

But targeting spray programs at times of the day when mosquitoes are active and other insects' activities recede could help reduce negative impacts, he said.

"The state is not looking for a blank check" to spray, Amand said. "They have to weigh the pros and cons," but all indicators are that the mosquitoes and these diseases "are going to continue to grow and move northward."

Staff Writer North Cairn can be reached at 791-6325 or at

ncairn@pressherald.com

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Maine braces for another budworm infestation

Posted: 4:53 p.m. yesterday

AUGUSTA, MAINE &MDASH Three decades ago, an insidious pest called the spruce budworm wreaked devastation on Maine's forests, defoliating millions of acres of the state's abundant fir and spruce trees until they were dry sticks.

The infestation, which began reaching its worst stages in the late 1970s, prompted a small-scale air war, first with chemicals sprayed from aircraft and later with biological insecticides. At last, by the later 1980s, the budworms went away.

But experts now say the bugs may soon descend upon Maine again.

"We are taking this seriously," said state entomologist Dave Struble.

Forestry officials are keeping a close eye on Canada, said Struble. There's been "a ripping outbreak" on the northern shore of the St. Lawrence River in Quebec, prompting an aerial spraying operation, and defoliation is detected on the south shore, he said. In New Brunswick, reports of budworm caterpillars picked up during the summer, but whether they were moving toward Maine isn't known, Struble added.

Mindful of the cyclical pattern of infestations, Maine foresters set have turned up some budworms in traps they set, but "we don't know exactly what it means," said Struble. That's because the best type trap being used was not around yet before the last big outbreak.

"But we've also been following what's going on with the neighbors," said Struble.

Budworm larvae bore into and feed on the evergreens' needles or expanding buds. Gradually the needles turn brown, giving the defoliated tree a scorched appearance, according to the U.S. Department of Agriculture.

After a small wave of budworms came and went in the 1950s and '60s, taking some trees with it, the state was hit by a tsunami of the pests in the 1970s and '80s. The invasion was taken very seriously by paper companies that owned vast blocks of Maine's forests because it threatened the raw material for their products.

That prompted an all-out attack on the budworms, with aircraft laden with chemical insecticides dispatched for much of the day from outposts in northern and eastern Maine to treat an area the size of Connecticut.

The massive operation also touched off howls of protest from residents of those remote regions, who were concerned about the health and environmental effects of the spray program. The program was paid for by the landowners, managed by the state and carried out by private contractors.

As it began to wind down in the mid-'80s, sprayers turned to a biological insecticide known as Bt, which interferes with insects' digestion and causes them to starve to death or die from infection.

Now, after a generation of calm, officials don't know whether to expect a sizeable outbreak in Maine. Part of the equation is weather — the insects favor warmer, earlier springs — and whether trees are at a susceptible stage. Struble said the trees now are not so vulnerable because they're younger and more resistant to infestation.

"We're probably not going to have the big one now," said Struble. But that could change with the right, or wrong, conditions.

Doug Denico, director of the Maine Forest Service, said Maine will probable see a major outbreak within the

next 12 years.

"If I were a betting person, I'd bet we're going to have one. It's just a matter of time," said Denico.

For now, foresters are keeping landowners up to date on what they see, and keeping them advised on what can be done in case of an outbreak. But whether Maine would see another aerial suppression effort of the magnitude of the last one is open to conjecture.

Denico said the cost of such a project would be the biggest factor in deciding whether to spray by air again. Public opinion also factors in.

Since the last spray, the huge blocks of forest once owned by paper giants have been cut up into smaller pieces. Owners no longer have the same kind of financial stake in what was once an industrial forest, and thanks to expanded forest roads are in a better positions to come in and do targeted cuttings if they see an infestation is brewing.

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Maine Government News

Back to current news.

DACF Names New Deputy Commissioner and Director of Division of Animal and Plant Health

January 18, 2013
Department of Agriculture, Conservation and Forestry

AUGUSTA – Commissioner Walt Whitcomb has announced that Aroostook County native Dave Lavway has been promoted to Deputy Commissioner of the Department of Agriculture, Conservation and Forestry (DACF) and Ellis Additon has come on board as the new director of the Division of Animal and Plant Health.

“The Maine people who make a living from and enjoy the state’s exceptional natural resources will be well served by the appointment of these outstanding individuals,” Commissioner Whitcomb said. “We are fortunate to have such leaders from both the public and private sector on our management team as we are strengthening our ACF agency with an increased focus on marketing and adding a strong manager to the Animal and Plant Health team.”

Dave Lavway, director of Animal and Plant Heath since July 2011, becomes the first deputy commissioner for economic development and marketing. He has an extensive background in agriculture and administration, including seven years as executive director of the Maine Potato Board and eight years as state executive director of the Maine Farm Service Agency, a unit of the U.S. Department of Agriculture (USDA).

Mr. Lavway also served as director of government relations for the National Potato Council and as an administrative officer with USDA’s Agricultural Research Service. He holds a B.S. in Agricultural Business and Economics from the University of Maine.

Ellis Additon comes to DACF from Feed Commodities International, in Detroit, Maine, where he served as general manager and grew the business by more than 60 percent over six years. He has also handled loan and leasing finance in the agricultural, forestry and construction industries in Maine as a district manager with Telmark Inc., a subsidiary of Agway Inc. His B.S. from the University of Maine is in Agriculture and Resources Economics.

As director of the Division of Animal and Plant Health, Mr. Additon will oversee a diverse operation charged with protecting the state’s plant resources from destructive insects and diseases and ensuring the proper and humane treatment of animals. The division also enforces pesticide laws and works to prevent the introduction and spread of contagious diseases among poultry and livestock. ###

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INDUSTRIAL ARTS

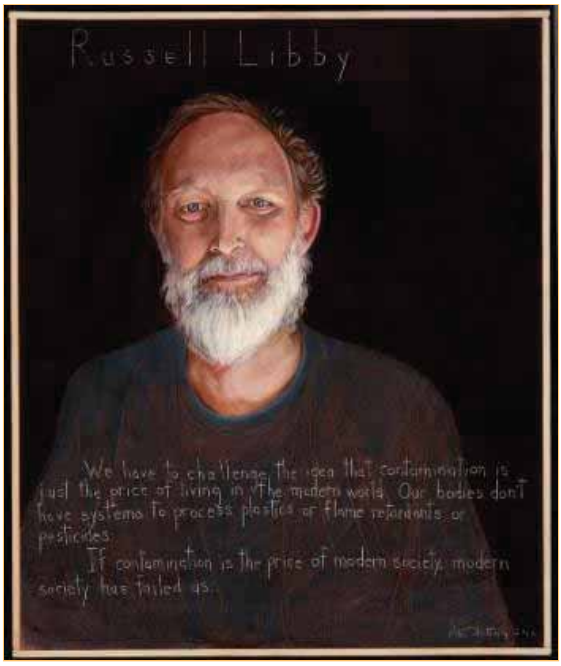
Eva Murray: 'It's important'

By Eva Murray | Posted: Friday, January 18, 2013 - 2:30pm

A few days ago, four organic farmers from Maine were in Washington, D.C., to appear in court against chemical and biotech giant Monsanto. They, along with farmers from other states, are plaintiffs in a case having to do with a law that allows Monsanto to sue farmers for patent infringement should their genetically modified seed find its way onto a farmer's property, even if the farmer had nothing to do with it; for example, if it is blown in on the wind. According to the *Bangor Daily News* and the *Sun Journal,* a Monsanto representative has denied that a controversy exists, but the Federal Appeals Court judges weren't happy with the "non-answers" they felt they were getting from Monsanto.

Maine's Russell Libby would have been proud.

Libby (who from here on I shall call "Russell," as I knew him), for 17 years the executive director of the Maine Organic Farmers and Gardeners Association (MOFGA), died of cancer at a young age in December. On Sunday, Jan. 6, my husband, daughter and I attended a memorial for him at MOFGA's fairground and Educational Center in Unity. The large exhibition hall was filled to capacity with Mainers in work clothes, bearing plates of cookies and handmade cheeses, toddlers in tow, babies in arms. The words spoken that day were inspiring, the songs sung were moving, and the mood, though appropriately somber, was overwhelmingly one of affection and real respect. Russell's memorial service left us feeling, in a certain way, hopeful. Sadness at the loss of a friend was a big part of the occasion, obviously, but many of us left the gathering with the sense that we need go back to our hometowns and get to work.



Portrait of Russell Libby by Robert Shetterly, from the Americans Who Tell The Truth collection.

Get to work doing what? Not everybody can or wants to be a farmer. That's okay; we don't have to do exactly what Russell did in order to pick up where he left off. We can get to work doing whatever it is we know how to do, but with increased determination to nurture what needs nurturing, to fight what needs fighting, and to courageously speak up when we really do know what we're talking about.

'Speaking truth to power is no small task; in fact, all through history it has always been the single bravest thing a man or woman can do.'

Russell Libby knew what he was talking about. He had credibility. To quote John Cross in the *Bowdoin Daily Sun*, "His knowledge of nature, sustainable practices of horticulture, animal husbandry, and woodlot management was encyclopedic." As a responsible grower, a community leader, an advocate for agricultural best practices, and a skilled speaker he earned the respect we gave him. He was a Bowdoin College economics major with a master's degree from the University of Maine and he was a worker on the land; he was not making believe he was anything.

As we stood in the hallway chatting after the more formal portion of the gathering had ended, a couple of us acknowledged that Russell's determination, his knowledge, and his genuine concern about these issues didn't just come out of the blue. Somewhere, back in time, somebody set an example. That must be true; it always is. He, then, set an example for so many of us; we remember, and work a bit harder because of him. According to the obituary, his fourth-grade teacher in Sorrento provided packets of vegetable seeds to students and this sparked a lifelong interest in agriculture. We're all better off for Russell's 4th-grade teacher.

Luckily for us, Russell didn't turn into a politician. He served on the select board and the school board in Mt. Vernon, he testified in the marble halls, he stood up before men in suits on behalf of many, he was articulate and conscious of his choice of words, but he still wrote poetry and cuddled babies and tended his apple trees day to day. A politician who speaks for farmers (or fishermen or anybody else) just doesn't have the same credibility as a farmer or a fisherman who speaks to politicians — or perhaps, for a short while, is willing to take on some local leadership position and see what good might come of it, and take that particular bruising (for a bruising there shall always be).

Speaking truth to power is no small task; in fact, all through history it has always been the single bravest thing a man or woman can do.

One truth he spoke repeatedly: "We have to challenge the idea that contamination is just the price of living in the modern world." Another wise reminder, this one read into the Congressional record and appearing anywhere we look for Russell's words as his basic principle: "Enough for everyone, always."

Russell wasn't a Pollyanna type, though, and he didn't make believe we could somehow go back in time to some mythic simpler day. He understood local economies. The reality is, "organic" might not be the one-size-fits-all touchstone we need, or rather, that one word might not answer all the questions. Decisions about our food

shouldn't be reduced to a slogan. High quality food, raised or harvested with care and minimal adverse impact, will only be available if we vote with our pocketbooks and do business with our local producers.

Small scale local growers—even if not certified organic, for becoming such can be a lengthy and costly process and is not just a matter of will—require the support of a customer base. We as food purchasing consumers may even need to decide between purchasing from a huge California organic operation that trucks produce across the country (with all the petroleum that requires,) or from a local producer who uses best practices although he may not be able to be certified for reasons outside of his control (what agricultural methods the previous landowner may have used, for example).

At one point Russell did the math and figured out how much money would stay within the local economy of his own town if each household spent $10.00 per week on locally produced food and other products. It adds up; in fact, it may multiply. He spoke frequently about the concept of the "Ten Dollars a Week." If any of us is looking for some small way to make a difference, that one should be manageable.

There were small children at Russell's service, many of them occupied in a corner with some paper and crayons. The farmers of Maine hope that some of their children will want to continue; they hope that good agricultural land will be kept as such, and that the knowledge and skills –and the joys—of farming won't be lost on this generation. As a coastal resident I see a parallel with Maine's commercial fishermen. Maine's lobstermen have historically handed down their industry to their children, but it's getting harder to do that now with licensing limitations, debt, and uncertainty about the future of the fishery. We need to encourage our younger people, and respect this growing-up-in-the-stern-of-the-boat lifestyle, without effectively, by virtue of their upbringing, denying them a choice. That's a hard one. In any event, several who spoke at Russell's memorial mentioned how much he thought about children. "He loved holding babies," recalled one of the many who spoke. When we have conversations and attempt decisions about big abstractions like how to fish and farm, how to live better, how to make money, how to save the world, etc. we might well be advised to have a few little kids underfoot while we talk.

I am convinced that Russell would have offered the same gentle leadership — and just generally have given a damn as much — had his world been that of the commercial fisherman or, for that matter, the bricklayer or the lawyer or the man who repairs saxophones. I believe he'd have set his fine example in any trade, profession or lifestyle where decisions have to be made about ethics, about taking the long view, or about doing what both the neighborhood and the eyes of history will see as a good job.

Russell Libby served as an example to all who care about leaving things better than we found them, whether or not we ever till soil or shear sheep or pick apples—or testify before Congress or go to court. I'm sure he'd have done essentially the same things had he been a clamdigger (and I have seen those guys, in their sweatshirts, in the halls of the State House,) or a lobsterman (with his little kids in the stern of the boat learning the business,) or a groundfish harvester (perhaps selling fresh fish to subscriber customers in a Community Supported Fishery project).

Russell didn't say much during his last few days, as by all accounts his illness left him exhausted, but among his last words are two that have come to mind again and again since I heard them mentioned at his memorial:

"It's important."

Eva Murray lives on Matinicus.

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"The major problems in the world are the result of the difference between how nature works and the way people think."
- Gregory Bateson

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What to do if you are exposed to pesticides.

MOFGA's Public Policy Committee
Maine Legislation
Pesticides Policy Reform
ME Board of Pesticides Control Reports
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Take Action - Get Involved: If you are interested in getting involved in MOFGA's Public Policy Committee work, please contact Heather Spalding, MOFGA's Associate Director, by email at heathers@mofga.org or by phone at 207-568-4142.

Spraying Mosquitoes – Let the Maine BPC Know What You Think

As West Nile Virus (WNV) and Eastern Equine Encephalitis (EEE) cases have increased, widespread spraying programs have become common in other U.S. states.

In 2012, the Maine Board of Pesticides Control (BPC) adopted emergency legislation to allow widespread spraying for mosquitoes when the CDC declares a high threat level. That emergency legislation will expire before the summer of 2013, when mosquito activity will begin to rise again, so the board plans to undertake rulemaking that will allow for widespread spraying if a threat to public health from EEE or WNV occurs.

MOFGA has expressed concern about the impact these programs would have on Maine's organic farmers and gardeners and sensitive populations. We continue to engage the board in discussions about the efficacy of spraying programs and the option of individual landowners to "opt out" of the spray zone.

The public will have a chance to speak on this issue in person at the BPC's March 1 meeting in Augusta and to send written comments by March 15 to the Maine Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028 or pesticides@maine.gov.

January 26, 2013

Pesticides Action

MOFGA advocates 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 immune system and reproductive abnormalities, are directly related to the toxins that increasingly contaminate our environment. Pesticides are the only toxins that humans deliberately manufacture and spread in the environment -- at a rate of millions of pounds of active ingredients every year in Maine alone.

Photo reproduced by permission from Vaillancourt, L.J., and J.R. Hartman. 2000. Apple scab. The Plant Health Instructor. DOI: 10.1094/PHI-I-2000-1005-01.

MOFGA vigorously promotes creative approaches to pesticide reduction. In 1990, MOFGA earned the first National Environmental Achievement Award for Food Safety by successfully proposing the first state "country of origin labeling" legislation for produce. In 1997, the organization drafted and advocated for "An Act to Reduce Reliance on Pesticides." This act would have instituted an effective system of pesticide sales data collection, while mandating a 33% reduction of pesticide use in the state by 2002. Although the legislation that passed was far weaker than MOFGA's proposal, it did, for the first time, declare a state policy requiring all branches of government to minimize pesticide reliance, and called for a state system of pesticide sales reporting.

Take MOFGA's Pesticides Quiz

MOFGA's efforts led to an Environmental Protection Agency (EPA)-funded survey of pesticide use in all Maine schools, and to a pilot program to promote the use of Integrated Pest Management (IPM) plans for each of these schools. This revealed that most Maine schools applied pesticides illegally, with untrained and unlicensed custodial staff. The survey led to a stakeholder process to develop a comprehensive regulation for implementation of integrated pest management and notification procedures for pesticide use in Maine schools and on Maine school grounds. MOFGA played a leading role in this process. The regulation, ultimately adopted with broad-based support, was a major step forward in protecting Maine's children from exposure to pesticides. The regulation formed a foundation for the provisions of Governor Baldacci's Executive Order, implementing IPM in State office buildings and grounds. MOFGA's efforts also led to the adoption of IPM and pesticide notification policies by the Acadia Hospital, one of the leading psychiatric institutions in the Northeast. The BPC distributed a copy of the Acadia Policy to all Maine hospitals, urging them to adopt similar policies.

In recent years, MOFGA has advocated for strong amendments to Board of Pesticides Control rules on pesticides drift, as well as the passage of a pioneering law on mandatory pesticide spray notification. Maine briefly had a spray notification registry for all citizens concerned about aerial and air carrier spraying in their communities. Sadly, the Maine Legislature, at the behest of the pesticides industry, has suppressed our access to information about nearby pesticide spraying. MOFGA will continue to advocate for the public's right to know about the hazardous agricultural chemicals that are being sprayed throughout Maine.

News Releases By Date

EPA Moves to Ban 12 D-Con Mouse and Rat Control Products / Action Will Prevent Thousands of Accidental Exposures Among Children Each Year

Release Date: 01/30/2013
Contact Information: Dale Kemery (News media only) kemery.dale@epa.gov 202-564-7839 202-564-4355; EN ESPAÑOL: Lina Younes younes.lina@epa.gov 202-564-9924 202-564-4355

WASHINGTON – The U.S. Environmental Protection Agency is moving to ban the sale of 12 D-Con mouse and rat poison products produced by Reckitt Benckiser Inc. because these products fail to comply with current EPA safety standards. Approximately 10,000 children a year are accidentally exposed to mouse and rat baits; EPA has worked cooperatively with companies to ensure that products are both safe to use around children and effective for consumers. Reckitt Benckiser Inc., maker of D-Con brand products, is the only rodenticide producer that has refused to adopt EPA's safety standards for all of its consumer use products.

"Moving forward to ban these products will prevent completely avoidable risks to children, said James Jones, acting assistant administrator for EPA's Office of Chemical Safety and Pollution Prevention. "With this action, EPA is ensuring that the products on the market are both safe and effective for consumers."

The agency has worked with a number of companies during the last five years to develop safer rodent control products that are effective, affordable, and widely available to meet the needs of consumers. Examples of products meeting EPA safety standards include Bell Laboratories' Tomcat products, PM Resources' Assault brand products and Chemsico's products.

The EPA requires rodenticide products for consumer use to be contained in protective tamper-resistant bait stations and prohibits pellets and other bait forms that cannot be secured in bait stations. In addition, the EPA prohibits the sale to residential consumers of products containing brodifacoum, bromadiolone, difethialone, and difenacoum because of their toxicity to wildlife.

For companies that have complied with the new standards in 2011, EPA has received no reports of children being exposed to bait contained in bait stations. EPA expects to see a substantial reduction in exposures to children when the 12 D-Con products that do not comply with current standards are removed from the consumer market as millions of households use these products each year.

For a complete list of the homeowner use rat and mouse products that meet the EPA's safety standards, visit: http://www.epa.gov/pesticides/mice-and-rats/rodent-bait-station.html.

For a complete list of Reckitt Benckiser Inc.'s non-compliant products, visit: http://www.epa.gov/pesticides/mice-and-rats/cancellation-process.html#cancellation.

The EPA's final Notice of Intent to Cancel will be available in the EPA docket EPA-HQ-OPP-2013-0049 at www.regulations.gov. After Federal Register publication of the Notice of Intent to Cancel, Reckitt Benckiser will have 30 days to request a hearing before an EPA Administrative Law Judge. If a hearing is not requested, the cancellations become final and effective.
Information on Rodenticide products and EPA's review is available at:
http://www.epa.gov/pesticides/reregistration/rodenticides/

More information on preventing and controlling rodents is available at:
http://www.epa.gov/pesticides/controlling/rodents.htm

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What's Cropping Up?

A NEWSLETTER FOR NEW YORK FIELD CROPS & SOILS *VOLUME 23, NUMBER 1, January - February 2013*

Corn Rootworm Resistance to BT-Corn Reported

Elson Shields, Department of Entomology,

Cornell University

Since the introduction of BT-corn varieties, concern has been raised by entomologists about the target insect developing resistance to the incorporated toxin and causing significant plant damage to those protected plants. With the initial introduction of BT-corn borer varieties, the concept of a non-treated refuge was also introduced. Insects produced from an untreated refuge are not exposed to the toxin and suppress the development of resistance by interbreeding with any BT toxin survivors.

In the case of corn borer, no resistance to BT incorporated toxin has been identified in the field even though corn borers have been exposed to BT incorporated toxin in the field since the mid-1990s. Area wide populations of corn borer have plummeted throughout the Corn Belt and have remained low for the past 15 years. The insect mating behavior outside the field coupled with the establishment of some refuges within areas seems to have suppressed the development of resistance to the plant incorporated BT. In contrast, this insect is capable of developing resistance in the laboratory within a few generations.

The situation with western corn rootworm appears to be completely different.

Since CRW BT-toxin introduction in 2003, the speed of resistance development has been debated among scientists because corn rootworm has a different mating/dispersal behavior than corn borer and rootworm has a history of developing resistance to other insecticides. Attempts by public scientists to study the potential development of corn rootworm-BT resistance were significantly hampered by seed industry legal restrictions placed on public scientists, limiting both laboratory and field research from the mid-1990s until 2010. Widespread and organized objections by corn entomologists from major agricultural universities in 2010, convinced the seed companies to loosen the legal restrictions limiting research by public scientists involving GMO crops. As a result, the 2009 observation of trait failure in southern Minnesota became public in 2010 and corn rootworm resistance to the BT trait was verified in the laboratory at Iowa State during 2010 and 2011.

In addition, multiple observations across large areas of the Corn Belt are reporting a rebounding rootworm population in fields planted with BT-CRW corn varieties. Starting in 2009 and extending through 2012, corn entomologists started reporting a rise in the adult rootworm population but widespread root injury has not been reported. This widespread rebound of the insect population strongly suggests that the insect is surviving the toxin better and more larvae are surviving into adult beetles. These observations also suggest that a widespread increase in trait failure maybe “just around the corner.” These recent observations are in contrast to the widespread CRW population crash which occurred in response to the area wide planting of CRW-BT corn between 2004 and 2009. Now that resistance has been documented in the Corn Belt to CRW-BT, the discussion shifts to management alternatives. Since many seed companies have placed their elite yield genetics in varieties along with BT toxins for corn borer and rootworm, growers have little choice but to plant the BT varieties if they want

Corn lodging due to corn rootworm feeding.

Pest Management

higher yielding corn. If the BT toxin is failing, additional management alternatives need to be layered over the BT toxin. Many producers are choosing to apply soil insecticides on top of the BT-CRW corn varieties in order to reduce damage, thereby significantly increasing the cost of rootworm control.

How did resistance develop?

We believe there are two major contributing factors promoting the rapid development of CRW resistance to the BT toxin. 1) The expression of the toxin in the corn plant is not at a high dose level and 2) the widespread refusal of producers to plant a BT-free refuge as required by EPA as a condition of registration.

The less-than-high-dose of toxin in the plant allowed insects with a low level of resistance to survive the toxin, molt into adult insects, mate and lay eggs. The higher the toxin dose, the fewer insects initially survive and generally the longer it takes for the insect to develop resistance. The planting of untreated refuges produce large numbers of unexposed beetles to dilute any genetic resistance, thereby keeping the frequency of the resistance very low.

The lack of BT-free refuges allows the BT-toxin survivors to inter-mate and concentrate the genetic basis for resistance, allowing a larger portion of the population to survive the toxin each year, thus increasing the inter-mating between individuals with a lower level of resistance. As a result, individuals in each succeeding generation have an increased level of resistance to the toxin and have an increased survival. The cycle continues with each subsequent year.

Solutions?

Corn producers and the seed companies in the areas of rising insect resistance to CRW-BT have painted themselves into an interesting corner. It is very unlikely that management strategies can be implemented to reduce the level of insecticide resistance in corn rootworm to BT. Most of the new corn planters purchased do not have soil insecticide applicators, so the use of a soil insecticide to limit rootworm damage is not an option. High rates of seed treatment which work fine in the Northeast have a history of poor performance throughout most of the Corn Belt. The only solution open to most Midwest corn producers is to plant more CRW-BT toxin corn and make the resistance problem worse.

The majority of the documented failures involve only one of the two competing rootworm BT events. Seed companies selling corn varieties with both BT events incorporated into the same plant (SmartStax®) are selling these varieties as a solution to the resistance. When these dual toxin varieties are planted into an area with corn rootworm resistance present to one of the toxins, the use of these dual toxin varieties with their very small untreated refuge (5%) is believed to only accelerate resistance to the second toxin. We believe that when the dual toxin corn varieties are planted in areas of increasing rootworm populations or resistance areas, the untreated refuge needs to be increased to at least 20%.

Resistance in NY?

It is difficult to predict the future development or arrival of CRW-BT resistance in NY. Rapid resistance development is less likely because corn rootworm pressure in NY has never been as high as the Midwestern Corn Belt. As a result, market penetration for corn varieties with CRW-BT toxin has been significantly less with current estimates ranging between 30% and 50%, resulting in a much lower selection pressure on rootworm to develop resistance to the BT toxin. In addition, some NY farmers are still using the rootworm dose of seed treatment to control rootworm rather than planting a CRW-BT corn variety. Recommendations to reduce the selection pressure on corn rootworm to develop resistance to CRW-BT corn:

1. Only plant CRW-BT corn varieties in fields with high rootworm pressure. These fields are typically continuous corn fields in 3 or longer years of continuous corn. Choose a company which offers “Refuge-in-a-bag”. Susceptible seeds are mixed in the bag and the farmer is not required to plant a separate refuge.

2. Fields with low levels of CRW pressure should be planted to a non-CRW-BT variety. These fields are typically first or second year fields. First year fields do not need any rootworm insecticide, but second year fields may need a high rate of seed treatment or a reduced rate of soil insecticide like Force®.

Calendar of Events

March 21, 2013	Adapt-N Intensvie Training Webinar, Multiple Locations TBA
June 6, 2013	Small Grains Management Field Day, Aurora, NY

What's Cropping Up? is a bimonthly electronic newsletter distributed by the Crop and Soil Sciences Department at Cornell University. The purpose of the newsletter is to provide timely information on field crop production and environmental issues as it relates to New York agriculture. Articles are regularly contributed by the following Departments at Cornell University: Crop and Soil Sciences, Plant Breeding, Plant Pathology, and Entomology. **To get on the email list, send your name and address to Mary McKellar, 237 Emerson Hall, Cornell University, Ithaca, NY 14853 or mem40@cornell.edu.**

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MARK BITTMAN | January 29, 2013, 9:00 pm | 278 Comments

Lawns Into Gardens

By MARK BITTMAN

Mark Bittman on food and all things related.

TAGS:

GARDENS AND GARDENING, LAWNS

The seed catalogs have arrived, and for the roughly 15 percent of Americans who appreciate the joys and rewards of growing some of their own crops, this is a more encouraging sign than Groundhog Day or even the reporting of pitchers and catchers to spring training.

Yet several times a year we hear of a situation like the one in Orlando[1], where the mayor claims to be striving to make his city green while his city harasses homeowners like Jason and Jennifer Helvenston for planting vegetables in their front yard, threatening to fine them $500 a day — for gardening. The battle has been raging for months, and the city's latest proposal is to allow no more than 25 percent of a homeowner's front yard to be planted in fruits and vegetables.

As if gardens were somehow an official eyesore, or inappropriate. (Jason Helvenston, my hero, said: "You'll take my house before you take my vegetable garden.") If you want to plant a lawn, that's fine, though it's a waste of water and energy, both petrochemical and human. Nor are lawns simply benign: many common lawn chemicals are banned in other countries, because most if not all are toxic in a variety of ways. My guess is that 100 years from now, lawns will be about as common as Hummers.

True, a lawn is a living, growing thing, a better carbon sink than concrete (though not as good as a vegetable garden or a meadow), and even more so if you leave the clippings in place, which also reduces the need for chemical fertilizer. And most people find a well-tended lawn pleasant-looking.

PREVIOUS POST
'Hurrah for Old Abe'
By RICHARD STRINER

NEXT POST
Leading the Way Out of Debt
By TINA ROSENBERG

Mark Bittman is an Opinion columnist and the Times magazine's food columnist; his Minimalist column ran in the Dining section of The Times for more than 13 years. In 2009, Mr. Bittman, who has been urging Americans to change the way we eat for decades, published "Food Matters," which explored the crucial connections among food, health and the environment. His most recent book is "The Food Matters Cookbook"; he is also the author of "How to Cook Everything" and "How to Cook Everything Vegetarian," among others. Mr. Bittman's television series include "Bittman Takes on America's Chefs," "The Best Recipes in the World," "Spain: On the Road Again" and an upcoming series based on his Minimalist column. His Web site is markbittman.com.

• Visit Mr. Bittman's blog »

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Todd Anderson for The New York Times

Jason and Jennifer Helvenston's front yard garden in Orlando, Fl.

But when it comes to the eye of the beholder, weeds are the same thing as beauty: to a gardener, grass is a weed; a row of lettuce surrounded by dark, grassless soil a thing of beauty. To some gardeners, including me, dandelions are a crop.[2]

The situation, then, is not black-and-white. A yard is not either unproductive and "beautiful" — as a lawn — or, as a garden, productive and "ugly." Many of us can thrill to the look of dead stalks, and even enjoy watching them rot. This is a matter of taste, not regulation.

"In a way, that's what these battles are about," says Fritz Haeg, the Los Angeles artist who initiated Edible Estates and wrote the book of the same name (subtitled "Attack on the Front Lawn"). "They're about reconsidering our basic value systems and ideas of beauty."

They're also about a relationship between us and nature. Lawns are an attempt to dominate and homogenize nature, something that hasn't worked out very well. Gardens, however, especially urban ones, make visible "the intimate relationship between people, cities and food, constantly reminding us of the complexities and poetry of growing food and eating," says Haeg. From which, just about everyone who's thought about the subject agrees, we've all become alienated.

And small-scale suburban and urban gardening has incredible potential. Using widely available data, Roger Doiron of Kitchen Gardeners International[3] estimates that converting 10 percent of our nation's lawns to vegetable gardens "could meet about a third of our fresh vegetable needs at current consumption rates."

Ten percent is optimistic; even 1 percent would be a terrific start, because there is a lot of lawn in this country. In fact it's our biggest crop, three times as big as corn, according to research done using a variety of data, much of it from satellites. That's around a trillion square feet — 50,000 square miles — and, since an average gardener can produce something like a half-pound of food per square foot (you garden 100 square feet, you produce 50 pounds of food), without getting too geeky you can imagine that Doiron's estimates

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OPINIONATOR HIGHLIGHTS

Leading the Way Out of Debt
By TINA ROSENBERG
New York City's network of Financial Empowerment Centers, which help poor clients take control of their finances, is a model for the rest of the nation.

A Brief History of Panic
By AMY L. FAIRCHILD, DAVID MERRITT JOHNS and KAVITA SIVARAMAKRISHNAN
The violent mob frenzies that broke out in response to epidemics of the 19th century are long gone. Now, managing panic is as challenging as fighting disease.

When Paying It Forward Pays Us Back
By DAVID BORNSTEIN
Social programs are often the target of conservative budget cuts, but they often save us money. Investing in the best of them will save even more.

You Are Going to Die
By TIM KREIDER
When we put the old and the sick out of sight, we enable a baseless fantasy of eternal health and youth. What is it doing to us?

The Way of the Agnostic
By GARY GUTTING
What do believers have to believe?

PREVIOUS SERIES

Line by Line
A series on the basics of drawing, presented by the artist and author James McMullan, beginning with line, perspective, proportion and structure.

The Elements of Math
A series on math, from the basic to the baffling, by Steven Strogatz. Beginning with why numbers are helpful and finishing with the mysteries of infinity.

Living Rooms
The past, present and future of domestic life, with contributions from

are rational.

Lawns are not exactly the enemy, but they're certainly not helping matters any. (For a real anti-lawn rant, see Ted Steinberg's book "American Green.") When they were used for grazing sheep — sheep are the best lawn-mowers — they made some sense. But as ornamentation, only a few parts of the United States have the climate to sustain them. (Kentucky bluegrass is not even native to Kentucky, let alone Arizona.) In the remainder they're horrible water-wasters and enormous users of chemical fertilizers[4].

I'm not going to argue that we should be limiting the size or number of lawns, though of course plenty of municipalities already regulate the amount of water you can waste on them. In the southwest, where water is harder to come by, there has been a gradual move away from the lawn and toward the xeriscape, which simply means a more environmentally friendly ornamental yard, one that uses amounts of water appropriate to the locale. In other words, you grow cactus. And some cities, as diverse as Santa Monica, Detroit and Portland, OR, help residents who wish to convert lawns to gardens.

Gardening may be private or a community activity; people garden together on common land, and most gardeners I know share the bounty freely. (In parts of England and France, people grow vegetables in their front yards *and encourage their neighbors to take them*.)

In any case there's little question that a stronger kitchen garden movement would both produce better food and put more of us in touch with where food really comes from, and how. Michelle Obama was not the first First Lady to plant a garden; Eleanor Roosevelt did it in 1943, when 20 million "victory" gardens (out of a population of only 135 million people), produced 40 percent of our fruits and vegetables. I recognize that it will take a near-apocalypse to see those kinds of numbers again, I recognize that turning lawns into gardens isn't a panacea, but I also recognize that hounding people for growing vegetables in their front yards is hardly the American way.

---

1. In 2011, for example, a Michigan woman was threatened with three months in jail for refusing to remove a vegetable garden from her front yard. *Return*

2. See my favorite seed catalog, Nichols. Need a recipe? *Return*

3. Check out their powerful garden planner, which I'm using this year. *Return*

4. As Elizabeth Kolbert points out in this 2008 New Yorker piece, the Scotts Company recommends you apply "Turf Builder" to your lawn five times a year. *Return*

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Senators introduce bill to eliminate burdensome pesticide regulation

(1/30/2013)

Sen. Pat Roberts (R., Kan.) and Sen. Mike Johanns (R., Neb.) have introduced S. 175, which ensures Clean Water Act permits are not needed for the applications of pesticides and amends Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)by stating that no permit shall be required for the use of a pesticide that is registered under FIFRA.

"This double layer of red tape is costly to the agriculture industry and consumers. It also takes aim at public health departments by requiring permits on top of existing permits for pesticide use," said Roberts. "This creates confusion and the potential for significant penalties. Our bill eliminates this redundant permit requirement while at the same time ensuring proper pesticide use through existing law."

"Not only is EPA pursuing regulations that are economically crippling, they are also pursuing regulations that are clearly duplicative," said Johanns. "The agenda being pushed by this Administration's EPA amounts to more red tape, more roadblocks and more needless headaches. President Obama has repeatedly promised to eliminate duplicative regulations, but actions speak louder than words. That's why we're acting on an economically and environmentally responsible solution to this government-made problem."

At issue is the January 2009, Sixth Circuit Court of Appeals opinion in *National Cotton Council v. U.S. Environmental Protection Agency*, that requires pesticide applications to be permitted under the Clean Water Act. This National Pollutant Discharge Elimination System (NPDES) permit is now in addition to any label requirements or restrictions already placed on the use of a pesticide under the FIFRA.

Since early in 2012, the EPA has enforced a now permanent rule in response to the Sixth Circuit Court ruling requiring approximately 35,000 pesticide applicators to get permits to cover about 500,000 applications per year. EPA estimates determined the permit rule will cost states, local entities and pesticide applicators $50 million and require one million hours to implement per year. Under the Clean Water Act, unlawful discharges are subject to $37,500 per day in fines.

This requirement is of particular concern for public health officials who are now restricted in their ability to control mosquitoes, and the spread of diseases like the West Nile virus. It is also a significant issue for agriculture.

Roberts introduced the same legislation in the last Congress where it was blocked from consideration on the Senate floor. Also in the 112th Congress, the House and the Senate Agriculture Committee passed similar legislation, H.R. 872, with strong bipartisan support.

The bill has the following original cosponsors: Senators Jerry Moran (R., Kan.), Roy Blunt (R., Mo.) John Barrasso (R., Wyo.), John Thune (R., S.D.), Chuck Grassley (R., Iowa), David Vitter (R., La.), Michael Enzi (R., Wy.), James Inhofe (R., Okla.) and John Boozman (R., Ark.).

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Syngenta, Bayer pesticides pose honeybee threat: EFSA

Wed, Jan 16 2013

By Charlie Dunmore

BRUSSELS (Reuters) - Three widely-used pesticides made by Switzerland's Syngenta and Germany's Bayer pose an acute risk to honeybees, the European Union's food safety watchdog said on Wednesday, but stopped short of linking them to bee colony collapse.

Fears over the effects on bees of neonicotinoid insecticides - among the most commonly used crop pesticides in the world - led France to withdraw approval in June last year for Syngenta's Cruiser OSR, used to treat rapeseed crops.

Responding to the opinion by the European Food Safety Authority (EFSA), the European Commission said it was ready to take the necessary steps if its findings are confirmed, raising the prospect of EU-wide restrictions on the use of the products.

The three pesticides analyzed by EFSA were clothianidin and imidacloprid, both of which are primarily produced by Bayer's agricultural unit Bayer CropScience, and Syngenta's thiamethoxam, the active ingredient in Cruiser OSR.

EFSA said harmful pesticide residues in the pollen and nectar of plants treated with the three chemicals meant that they should only be used on crops not attractive to honeybees, such as sugarbeet. That would exclude their use on maize, rapeseed and sunflower crops.

Bees also face an acute risk from exposure to drifting pesticide dust following sowing of cereal seeds treated with the chemicals, including wheat and barley, EFSA said.

However, the EU scientists found no link between use of the pesticides and the phenomenon known as bee colony collapse disorder, which has seen bee populations fall rapidly in recent years across Europe and North America.

"Due to shortcomings in the data, EFSA was unable to finalize assessments for long-term risks to colony survival and development... and therefore conclusions could not be drawn on colony collapse disorder," the opinion said.

Bayer CropScience said in a statement it did not believe EFSA's findings altered the conclusions of previous EU assessments of its products, which found no unacceptable risks in their use.

"It is very important that any political decision relating to registrations of neonicotinoid-containing products should be based on clear scientific evidence of adverse effects of the affected products under realistic conditions of use," the statement said.

A study by Britain's Food and Environment Research Agency said last year that there was no evidence that use of neonicotinoids could cause the collapse of whole bee colonies.

WORKER BEES

Bees are important pollinators of flowering plants, including many fruit and vegetable crops. A 2011 U.N. report estimated that bees and other pollinators such as butterflies, beetles and birds do work worth 153 billion euros a year to the world economy.

EFSA said current gaps in the scientific data meant it had been unable to assess the risks posed to bees by some of the authorized uses of the pesticides, and there was a high level of uncertainty in its latest evaluation.

Pesticide manufacturers seized on the uncertainty in EFSA's findings, and said the opinion provided no grounds to challenge the currently approved use of the chemicals.

"Restricting neonicotinoid pesticides on the basis of potential risks will do nothing to improve overall bee health but would do enormous damage to farming and food production in Europe," Friedhelm Schmider, the head of European pesticide lobby ECPA, said in a statement.

A report published on Tuesday - commissioned by ECPA and the EU farmers' association COPA-COGECA - found that current treatment of seeds using the three pesticides boosted EU commodity crop revenues by more than 2 billion euros a year, and said that 50,000 farm jobs could be lost if the products were banned.

The Commission's health spokesman Frederic Vincent told a regular news briefing that EU government officials would discuss the findings at the end of the month, but that further research may be needed before drawing firm conclusions.

"As far as we're concerned it's quite clear. If the report and ensuing studies highlight that there is a problem with these products, then the Commission, together with member states, will take the necessary measures," he said.

(Reporting by Charlie Dunmore; editing by Rex Merrifield and Keiron Henderson)

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BloombergBusinessweek
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To Revive Honey Bees, Europe Proposes a Pesticide Ban

Posted by: Bernhard Warner on February 19, 2013

http://www.businessweek.com/articles/2013-02-19/to-revive-honey-bees-europe-proposes-a-pesticide-ban

The honey bees are still dropping dead. Nearly seven years after a sudden and unexplained drop in the bee populations of North America and Europe first made international headlines, these vital pollinators are still at risk. In the U.S., beekeepers reported the loss of one-third of their colonies each year from 2006 to 2011. Much of Europe has witnessed similar declines—not good for a species that pollinates 90 percent of the food we eat, at a value of €153 billion ($204 billion) globally to farmers.

For food science researchers, finding the culprit for bee colony collapse disorder has become the equivalent of discovering a cure for cancer. The plausible suspects are varied. Some scientists have fingered globalization; others pointed to climate change. Nasty new viruses, parasites, and pollution have also been blamed. The use of certain pesticides by farmers, the agricultural industry, and gardeners has also long been suspected of possibly killing bees, or at the very least fouling up their foraging instincts, confusing them to a point at which they cannot be relied upon to pollinate acres of almond groves or cherry orchards.

Recently, Europe's food safety watchdog, the European Food Safety Authority (ESFA), issued a declaration that three specific common pesticides pose an acute risk to honeybees. Now the European Commission has proposed a two-year ban on these pesticides, which could be ratified as early as this month. It would require a majority vote by EU member states; if it passes, the restrictions will take effect in late spring.

This is a controversial move. Thousands of jobs and billions in crops are at stake, with no assurance that pesticides are to blame. Colony collapse disorder, as it's called, has been observed in bee populations at intervals over the least 100 years, and pesticides certainly wouldn't have explained it in the early 1900s, for example. ESFA acknowledges that it cannot link the chemicals directly to bee colony collapse syndrome. Still, it says the research is strong enough to pull the chemicals off the market.

The research is the work of Italian biologist Marco Lodesani, director of a honeybee and silkworm research institute in Bologna. From 2009 to 2011, Lodesani and his team conducted countless autopsies on bee carcasses and continuously saw the same thing: something toxic was killing the bees. They traced the suspected poison primarily to maize seeds coated in an insecticide meant to keep sap-sucking pests from destroying the crop.

Lodesani's team then conducted a battery of experiments to determine the neurological impact of the most common insecticides linked to the seeds. They found that even at recommended usage levels, the chemicals are putting the survival of bee colonies at risk.

"Our findings show that the bee colonies are dying off in such large numbers, and that the link is pesticides," says Lodesani. He added that the "pharma" link, as he calls it, is strong enough to rule out other suspected causes, such as a deadly virus, as a principle cause for colony deaths.

The group wrapped up its findings in 2011 and persuaded Italy to ban certain neonicotinoid pesticides, a relatively new kind of insecticide chemically related to nicotine. France has since introduced a ban on seeds treated with a specific neonictinoid, imidacloprid, which is thought to be the most widely used insecticide in the world. (Slovenia and Germany have imposed similar temporary bans in the past.) Lodesani says the bee death numbers in Italy are well down since the Italian ban was put in place, though, it must be noted that the death rate started to stabilize just prior to the ban's introduction.

The makers of the insecticides—Bayer CropScience (BAYN) and Syngenta (SYT)—say the regulators' conclusions are highly flawed. The ban of these three types of insecticides would do more harm than good, they contend, costing Europe's agricultural sector €17 billion in lower crop yields over a five-year stretch and putting 50,000 jobs at risk. Spooked by such numbers, Europe's powerful farmers' unions are opposed to an immediate ban. Across the Atlantic, the U.S. Environmental Protection Agency is conducting its own research, which won't be complete until 2018 at the earliest.

This is only the beginning, Lodesani says: "Modern farming requires a complete change of thinking, away from a reliance on chemicals and back to a respect for biodiversity." In other words, he says, when we talk about bees and crops, we are really talking about canaries and coal mines.

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Syngenta to Defend Insecticide as Europe Review Shows Bee Risk

By Patrick Winters on January 16, 2013

http://www.businessweek.com/news/2013-01-16/syngenta-to-defend-insecticide-as-europe-review-shows-bee-risk

Syngenta AG (SYNN), the world's largest agrochemical company, will defend the use of its Cruiser insecticide after a review by the European Food Safety Authority concluded the product's active ingredient is a risk to bees.

"We will deploy all means at our disposal to defend the use of this product," Chief Operating Officer John Atkin said in an e-mailed statement, after the EFSA published a report on its website today.

The EFSA said it has identified a number of risks posed to bees by three neonicotinoid insecticides sold by Syngenta and Bayer AG. (BAYN) Bayer Cropscience said in a statement earlier today that it's convinced neonicotinoids can be used safely. The EFSA's finding is a blow to Basel, Switzerland-based Syngenta as it deals with increasingly costly regulatory compliance to get its crop sprays approved in Europe.

"Without neonicotinoids, up to 17 billion euros ($22.6 billion) of economic value could be lost across Europe over the next five years," Atkins said. "This threatens 50,000 jobs directly and could impact the income of up to one million people working in agriculture."

Cruiser was released in 1997, and is used to protect crops from corn to cotton against insects such as beetles and centipedes. Thiamethoxam, the active ingredient in Cruiser, is a "blockbuster product" with sales that exceeded $1 billion for the first time in 2011, according to Syngenta.

Neonicotinoids are a class of insecticides which kill insects by attacking the central nervous system. Recent studies have suggested that exposure to neonicotinoids at sub-lethal doses can harm bee health and bee colonies, the EFSA said.

To contact the reporter on this story: Patrick Winters in Zurich at pwinters3@bloomberg.net

To contact the editor responsible for this story: Simon Thiel at sthiel1@bloomberg.net

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Syngenta COO: Analysis of Bee Deaths "Unworthy" of EFSA

By

Published January 16, 2013 | Dow Jones Newswires A new study by scientists at 300x250

Europe's food-safety agency that found risks to honey bees from three widely-used insecticides is "unworthy" of the agency and its scientists, a top executive at Syngenta, the manufacturer of one of the chemicals, said Wednesday.

The risk assessment, published Wednesday by the European Food Safety Authority, said three neonicotinoids--clothianidin and imidacloprid, which are made primarily by Bayer AG (BAYN.XE), and thiamethoxam, which is made by Syngenta AG (SYNN.VX)--pose risks to bees through contaminated dust and pesticide residues on nectar and pollen.

"It is obvious to us that EFSA has found itself under political pressure to produce a hurried and inadequate risk assessment, which even they acknowledge contains a high level of uncertainty," said John Atkin, Syngenta's chief operating officer, in a statement. "This report is unworthy of EFSA and of its scientists."

Write to Matthew Dalton at matthew.dalton@wsj.com

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Bayer CropScience remains convinced that neonicotinoids can be used safely and effectively

17/01/2013 02:11 (09:02 minutes ago)

The FINANCIAL -- Bayer CropScience is currently evaluating the reports published by the European Food Safety Authority (EFSA) on neonicotinoids and bees today.

As Bayer AG said, the company is ready to work with the European Commission and Member States in order to take the necessary steps to develop pragmatic solutions to address the perceived data gaps which EFSA consider to be present. We proactively work on closing data gaps which arise and continue to be open to constructive dialogue with the competent regulatory authorities, in order to discuss all relevant points relating to the safety of our products.

Bayer CropScience has generated extensive safety data for its neonicotinoid-containing crop protection products. These have been reviewed by the competent EU and Member State authorities who have confirmed the absence of any unacceptable risk by these products. We do not believe that the new EFSA reports alter the quality and validity of these risk assessments and the underlying studies.

In reality, the main consensus reached when evaluating the scientific research in this area is that poor bee health and colony losses are caused by multiple factors, the parasitic Varroa mite being the key issue. We believe it is very important that any political decision relating to registrations of neonicotinoid-containing products, following the publication of the EFSA reports, should be based on clear scientific evidence of adverse effects of the affected products under “realistic conditions of use”, including the extensive stewardship measures that are in place in the field, and should not be made ad-hoc or on the basis of an over-interpretation of the precautionary principle.

Ultimately, it is important to ensure that European farmers continue to have access to crop protection products, such as those containing neonicotinoids, as key components in integrated pest management (IPM). Neonicotinoids are an important class of insecticides which underpin a farmer´s ability to grow safe, high-quality, affordable food in Europe.

Bayer CropScience is strongly committed to supporting the responsible use of neonicotinoids and invests heavily in product stewardship and research activities to minimize any impact of these products on bees.

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U.S. Supreme Court Let's Stand Minnesota Ruling Regarding Pesticide Drift on Organic Farmland

By **Editor** Filed in **News** February 20th, 2013 @ 6:08 am

The U.S. Supreme Court let stand a Minnesota Supreme Court decision that prohibits Minnesota organic farmers from recovering against pesticide applicators for financial harm stemming from loss of organic certification due to pesticide drift or overspray.

The U.S. Supreme Court's decision leaves in place the ruling in *Johnson v. Paynesville Farmers Union Cooperative Oil Co.*

Minnesota organic farmers say they are now operating in an uncertain regulatory environment in which U.S. Department of Agriculture requirements and Minnesota requirements are at odds with respect to decertification of fields that have experienced pesticide drift.

According to the latest census data, Minnesota ranks fourth in the nation in the number of certified organic farm acres and seventh in the number of certified organic farms.

"We are disappointed by the U.S. Supreme Court's decision not to review a misguided ruling that unfairly penalizes Minnesota organic farmers who are victims of pesticide drift," said FLAG Staff Attorney Amanda N. Heyman, who authored the petition to the Supreme Court.

"Minnesota organic farmers and organic certifiers are now in a tough position; they are caught between conflicting state and federal laws. We are confident, however, that the organic community will come together to help craft a solution to this unfortunate situation."

In 2005, 2007, and 2008, Minnesota organic farmers Oluf and Debra Johnson's organic farm fields were decertified due to contamination from pesticide overspray by commercial pesticide applicator Paynesville Farmers Union Cooperative Oil Company, the defendant in the case.

When the Johnsons sued the pesticide applicator for damages caused by the overspray, the Minnesota Supreme Court held that the company was not responsible for financial harm related to organic decertification.

The Court also held that the organic certifying agent interpreted the federal organic regulations incorrectly and was wrong to decertify the Johnsons' organic farmland.

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Farmers' Legal Action Group, Inc. filed a petition for writ of certiorari in December 2012 asking the U.S. Supreme Court to overturn the portion of the Minnesota Supreme Court ruling interpreting the federal organic regulations.

FLAG is a nonprofit law center in St. Paul, Minnesota, dedicated to providing legal services and support to family farmers and their communities in order to help keep family farmers on the land.

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Mosquito-Fighting Plan Allows Access To Private Property With No Warrant

by J.D. Miles & Angela Martin

February 8, 2013 10:05 PM

PLANO (CBSDFW.COM) – With West Nile season approaching soon, there's a controversial bill in the state legislature that would give the government more power to kill mosquitoes.

Texas State Senate Bill 186 would allow authorities to legally trespass on private property without a warrant to treat stagnant water if it "…is reasonably presumed to be abandoned or that is uninhabited."

State Senator John Carona introduced the bill telling CBS 11, "This is an important health and safety issue."

Plano health officials believe it will help efforts to combat the West Nile Virus because it will allow for the immediate treatment of problem areas.

Plano resident David Johnson says the plan could have helped his neighborhood had it been in place last summer.

Johnson's family lives next to a home with a stagnant pool, which is prime breeding ground for mosquitoes. He complained to the City of Plano, which had to get a warrant to finally address the problem since the owner couldn't be found.

"It took months of notices on the door before any action was taken," recalls Johnson. "It's just an absolute nightmare."

But some legal experts worry that any exception to obtaining warrants will eventually lead to more government access of private property everywhere.

"Are we going to have the potential for government workers going into these houses without going through the proper steps?" questions attorney Pete Schulte. "Does this give the government too much leeway?"

The bill has several hurdles to overcome, including privacy concerns, before becoming law. However, those who live near high-risk areas say they fear an invasion of mosquitoes more than an invasion of privacy.

The 2012 West Nile season was the worst on record in Texas. More than 1800 were infected, 86 people died.

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Pesticide compliance at all-time high in ND

January 7, 2013

Minot Daily News

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BISMARCK (AP) - Agriculture Commissioner Doug Goehring says compliance with state and federal pesticide laws and regulations is at an all-time high in North Dakota.

Goehring says state officials conducted a record 1,042 inspections of farms and businesses last year and more than 840 were found to be in compliance, for a rate of 81 percent. The previous record was 80 percent in 2008.

Goehring says his department's outreach and compliance assistance program is a big reason. He says the department's pesticide team reached more than 4,400 people last year through public meetings and other efforts.

The findings are included in an annual report the state submits to the federal Environmental Protection Agency.

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For immediate release: Feb. 14, 2013 (13-05) Contact: Hector Castro (360) 902-1815

Pesticide survey coming to Puget Sound residents

OLYMPIA –In an effort to learn more about how the average urban resident uses pesticides on a day-to-day basis, the Washington State Department of Agriculture and the USDA National Agricultural Statistics Service (NASS) will be mailing surveys to more than 15,000 homeowners around the Puget Sound region to gather data on the pesticides they use and how they use them.

The three-page survey will be mailed within the week to people living in the 12 counties making up the Puget Sound region. All the information gathered will be kept strictly confidential and the response can be returned in self-addressed envelopes provided.

The survey was prompted by a 2011 study conducted by the Department of Ecology (Ecology), which identified urban use of agricultural products as a potentially significant source of copper to freshwater and marine areas in the Puget Sound basin. Copper is a component of many common pesticides and is toxic to fish and other aquatic species. Young salmon, in particular, are especially susceptible to the effects of copper.

While the state has data about pesticide use in agriculture areas, little is known about pesticide use by homeowners. WSDA and Ecology are taking this opportunity to learn more about all pesticide uses in urban areas rather than just collect information on products containing copper.

Ecology partnered with WSDA on this project, providing $135,000 in funding for three surveys. The survey to homeowners is the first. A second survey will focus on commercial pesticide applicators in the Puget Sound region and the third will gather the same information from municipalities, public works agencies, school districts and other public operators that use pesticides.

Together, the three surveys are expected to result in a better understanding of how certain pesticides end up in the region's waterways and help develop effective outreach and education programs.

A report detailing the results of the survey is expected to be completed by Dec. 31, 2013.

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SEPTEMBER 10, 2012

Is Organic Food Worth the Expense?

INTRODUCTION

Mike Blake/Reuters

A recent study by scientists at Stanford University found that fruits and vegetable labeled organic are, on average, no healthier than less expensive conventional produce, although they have lower levels of pesticide residue.

Are there other benefits that outweigh the cost of organic food? Is there a place for organic farming in a world with severe food shortages and rising food prices?

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DEBATERS

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I prefer not to be a guinea pig in a pesticide experiment. I'm fortunate to have the choice. We should do all we can to give everyone that choice.

The Ecological Case Against Organics

CHRISTIE WILCOX, BLOGGER, SCIENTIFIC AMERICAN

Until organic farming can rival the production output of conventional farming, its environmental cost is devastating.

Focus on the Right Kind of Organic Farming

RAJ PATEL, INSTITUTE FOR FOOD AND DEVELOPMENT POLICY

Because the rural poor will be hit hardest by climate change, far from being a 'luxury for the rich,' organic farming may turn out to be a necessity.

Food for the Wealthy, Not for the Poor

BJORN LOMBORG, COPENHAGEN CONSENSUS CENTER

Most of the world needs cheaper food, so we should focus on higher yields, better access to fertilizer and well-regulated use of genetically enhanced crops.

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Despite the claim that only it can "feed the world" as the climate warms and population grows, industrial agriculture has already reneged on its promises.

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