



March 12, 2021

Representative Samantha Vang
Representative Mike Sundin, Chair
House Agriculture, Finance and Policy Committee
Committee Members
St. Paul, MN 55155

Re: Minnesota Pest Management Association – Opposition to HF 718

Dear Representative Samantha Vang, Representative Mike Sundin, and Committee Members

The Minnesota Pest Management Association (MPMA), the only trade group for structural pest management companies or “pest control” companies in Minnesota, appreciates the opportunity to provide our thoughts on HF 718. MPMA member companies manage pests, including rodents, ants, cockroaches, bed bugs, mosquitoes, spiders, stinging insects, termites, ticks, and other pests in countless commercial, residential, and institutional settings because they bite, sting, contaminate, damage, infest, spread disease, create fear, and cause fires. MPMA members are committed to providing essential and quality pest management services that protect public health, food, and property.

MPMA opposes HF 718 and we ask that you do too.

HF 718 – Overview

We respectfully request that HF 718 not be scheduled for a hearing as written. HF 718 would allow all 853 statutory and home rule charter cities in Minnesota to enact an ordinance that sets their own licensing, penalty, and enforcement provisions regarding pesticides. Additionally, HF 718 would allow these 853 municipalities to ban the outdoor use of many pesticide products that are used to protect public health and property by our licensed structural pest management professionals. MPMA acknowledges the importance of pollinator health and applauds the sponsors for their dedication to protecting pollinators. However, we do not follow the logic that local governments regulating pesticides and issuing duplicative licenses will result in pollinator protection. We encourage the sponsors to not give up and consider other policy solutions that can be implemented statewide and will be more effective for pollinator protection.

Professional Structural Pest Control Pesticide Applications Are Unlikely to Impact Pollinators

It is known that structural pest control uses of pesticides and neonicotinoid pesticides, which is one of the main classes of pesticides impacted by HF 718, are unlikely to pose a threat to pollinators, as a recent Cornell University study on neonicotinoid pesticides illustrates: **“Negligible risk to pollinators from household pest control and antiparasitic uses... Such applications are unlikely to lead to substantial exposure for insect pollinators.”**¹

MPMA stresses the impact that the structural pest management industry has on pollinators is nominal. The content in HF 718 does not currently reflect this reality. Pesticide risks to pollinators are not only focused on the toxicity of a chemical but also the potential for exposure. Structural pest control is very unlikely to lead to exposure. Similarly, exterior treatments applied to the structure and other areas around the structure are also unlikely to result in significant exposure. MPMA members support, teach, and implement Best Management Practices (BMPs) developed by the National Pest Management Association, which greatly increases the ability of our members to safely use pesticides in a manner that doesn't impact pollinators.² In addition, MPMA for decades has consistently receives more industry training than MDA requires, at our request, so that our industry can protect health, property, and the environment.

HF 718 Would Add a Duplicative Regulatory Layer for Licensed Structural Pest Control Professionals Operating in Multiple Municipalities

HF 718 would allow municipalities to issue their own licenses in addition to the licensing required by the Minnesota Department of Agriculture (MDA) and the U.S. Environmental Protection Agency (EPA). EPA and MDA are the two primary government agencies that currently regulate the structural pest control industry in our state. In order to serve their customers, certified structural pesticide applicators must undergo extensive training and certification protocols to meet rigorous federal and state standards and pass exams and earn a score of at least a 70% or better. Licensed structural pesticide applicators must become recertified every year to ensure they are competent and sensitive stewards of our environment. Additionally, two years of work experience are required to become a licensed Master pesticide applicator. A Masters license must be held by one or more applicators within a company in order to be a licensed Structural Pest Control Company. This Master license and requirement to have one per company are unique to Minnesota and MPMA supports this.

We do not understand as to how an additional layer of licensing will result in protecting pollinators. It is more likely that the opposite will happen. Municipal governments licensing pesticide applicators and regulating pesticides will dilute the enforcement ability of MDA, potentially opening up the door to confusing and weakened enforcement of state pesticide laws and rules. MPMA is not alone in sharing this sentiment as Katherine Dykes, the Commissioner of the Connecticut Department of Energy and Environmental Protection, testified on a similar bill to HF 718, in 2019, in Connecticut with:

¹ "Neonicotinoid insecticides in New York State: Economic Benefits and Risk to Pollinators," (P.44), <https://pollinator.cals.cornell.edu/pollinator-research-cornell/neonicotinoid-report/>

² NPMA Pollinator Best Management Practices (BMPs), <http://www.multibriefs.com/briefs/npma/PollinatorBMPsFINAL.pdf>

“Passage of this bill will also result in an added regulatory layer to be enforced at the municipal level and complicating compliance efforts for commercial service providers working in multiple towns.”³

Both regulators and licensed pesticide applicators recognize that local government regulation of pesticides is not beneficial and warranted.

Unfettered Municipal Pesticide Bans Jeopardize Public Health

One of the many reasons that MPMA is opposed to HF 718 is due to the negative public health consequences that could arise. Ants, carpenter ants, cockroaches, flies, mosquitoes, ticks, stinging insects, and countless other pests do not respect local government boundaries, as they travel freely, are ubiquitous, and endemic to the State of Minnesota. For example, the ticks in Eden Prairie, MN, still risk spreading Lyme disease, as do the ticks in neighboring Chanhassen, MN.

MPMA is not alone in sharing this view, as Katherine Dykes, the Commissioner of the Connecticut Department of Energy and Environmental Protection testified on a similar bill to HF 718, in 2019, in Connecticut and conveyed her alarm for the negative public health implications with:

“The unintended consequences that could result from unfettered municipal pesticide bans include an inability to control disease vector pests such as ticks and mosquitoes that pose human health threats...”⁴

HF 718 Would Allow Municipalities to Eliminate the Ability to Control Wood Destroying Insects in Homes, Businesses, and Threaten the Real Estate Market in Minnesota

HF 718 would not only surrender Minnesota’s pest control efforts to mosquitoes that transmit West Nile virus, ticks that transmit Lyme disease, and flies that contaminate food, but also Minnesota homes, businesses, and other structures to wood destroying insects. Licensed structural pest management professionals manage ants, carpenter ants, termites, wood boring beetles, and other pests. Our professional industry uses pesticide products that would be banned under HF 718, in, on, and around structures to protect properties from wood destroying insects.

For example, HF 718 is problematic because termites cause an estimated \$5 billion in damage to structures in the United States each year, affecting more than 600,000 homes.⁵ The cost of repairs for termite damage varies from minor infestations to extensive, and in some extreme cases leading to the demolition of entire homes. Lastly, the Department of Housing and Urban Development (HUD) recently released an updated policy on termite treatment and reporting in order to insure

³ CT DEEP Commissioner, Katherine Dykes, Testimony on SB 76 – Allowing Local Governments to Regulate Pesticides, <https://www.cga.ct.gov/2019/ENVdata/Tmy/2019SB-00076-R000318-Dykes,%20Katherine,%20Commissioner-Department%20of%20Energy%20and%20Environmental-TMY.PDF>

⁴ CT DEEP Commissioner, Katherine Dykes

⁵ "Industry Fact Sheet," NPMA Pestworld, <https://npmapestworld.org/newsroom/industry-fact-sheet/>

FHA approved loans.⁶ This FHA policy applies to 64 of Minnesota's 87 counties.⁷ HUD termite policy is indicative of continued and persistent termite damage in the area. And while some people think we don't have termites in Minnesota, we do. We've found them as far north as Fergus Falls, in higher frequency in southern Minnesota, and like climbing temperatures, we are finding them more frequently.

Cities aren't asking for this.

Last year, a similar bill was introduced, and it became clear no cities were even asking for this. Once Minneapolis learned about it, all they could say was if passed, they would look at it.

Conclusion

We applaud the bill sponsors and their efforts to protect pollinators in HF 718; however, for the reasons mentioned above, there must be a more effective solution that protects pollinators without jeopardizing public health and duplicating licenses for pest management professionals. This bill appears to be an attempt to add regulation, confusion, and expense to end users and has little to do with pollinators as it doesn't actually solve the problem at hand. If it did, solve it statewide. Thank you for the opportunity to share our views. We respectfully request that HF 718 not be scheduled for a hearing as written, and if heard, to vote in opposition to HF718.

Sincerely,

The Minnesota Pest Management Association Board of Directors & SPAR Representatives

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⁶ NPMA HUD Resource Center, <https://npmapestworld.org/resourcecenter/hud/>

⁷ "FHA Single Family Homes Termite Treatment Exception Areas," https://www.hud.gov/sites/documents/SFH_POLI_TERMITE.PDF