



## MEMORANDUM-IN-OPPOSITION

### **L.D. No. 316 (Rep. Doudera & Sen. Miramant)**

AN ACT to prohibit the use of chlorpyrifos.

This bill would establish a Maine ban of the use of one specific organophosphate pesticide, chlorpyrifos, which is an effective insecticide applied across a broad spectrum of pests. In the presence of some key insect pests, chlorpyrifos is the only effective pest control option. It is thus widely used in 47 U.S. States in agricultural applications on over 60 crops, from specialty to row crops. Farming and agriculture is Maine's #1 industry.

Corteva Agriscience, is **STRONGLY OPPOSED** to the potential ban of chlorpyrifos in this bill.

Extensive studies have shown that current uses of chlorpyrifos meet the U.S. regulatory standard of a "reasonable certainty of no harm." The U.S. is among about 100 countries, including all major U.S. trading partners, that have registered chlorpyrifos for agricultural use by farmers. Chlorpyrifos is one of the most widely studied crop protection products in the world. In fact, more than 4,000 regulatory guideline studies have been conducted and subjected to critical evaluation by regulatory authorities in the nearly 100 countries where the product is currently registered and legally approved for use. Both the European Union (in 2014) and Australia (in 2017) have recently approved the agricultural use of chlorpyrifos.

As such, EPA's 2006 determination that there is a reasonable certainty of no harm from approved uses of chlorpyrifos on food crops will remain in effect until EPA completes the ongoing periodic registration review of chlorpyrifos on or before October 2022, using valid and reliable scientific information.

Corteva is thus confident that chlorpyrifos will continue to safely and effectively protect food crops from insect damage after EPA completes its ongoing pesticide registration review.

A final concern is that this potential Maine ban of chlorpyrifos, currently a legally permissible registered pesticide product, as set forth in this bill, could erect an impermissible barrier to interstate commerce in violation of the Commerce Clause of the U.S. Constitution. This is especially true since the State is proposing a product-specific ban of one single insecticide, and not of the entire class of organophosphate insecticides.

Thus, for all of the reasons stated herein, Corteva Agriscience **OPPOSES** L.D. 316 and **URGES ITS DEFEAT**.

Respectfully submitted,

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