

Testimony of Tade Sullivan
Maine Dairy Industry Association
March 15, 2022

Senator Dill and Representative O’Neil, and members of the Joint Committee on Agriculture, Conservation, and Forestry – I wish to thank you for the opportunity to testify today. My name is Tade Sullivan, I am the Executive Director of the Maine Dairy Industry Association. On behalf of the Maine Dairy Industry Association, I am speaking in support of LD 2013:

Our dairy farms are good stewards of the land and offer fresh and safe products to Maine consumers. Dairy farmers want safe workplaces, and they want to maintain public confidence in their practices.

Farmers need nutrients to grow crops, whether that is to feed the animals on their farms, or to bring product to market. As any good steward of the land will tell you, we cannot harvest a crop or grow grass without returning nutrients to the soil.

Farmers who applied nutrients from municipalities were told that the product was safe. Any ground that is contaminated, and the farmers who work that farmland, should be indemnified. The cost of any remediation should be borne by a fund similar to this proposed. Furthermore, any state policy should support decontamination of sludge from municipalities, regardless of where it is applied.

The state should not enact laws that penalize Maine farms, but allow for farm products from neighboring states that have not been tested. Why remove Maine milk from our shelves but allow milk from an effected New England dairy farm in our grocery stores?

We urge the committee to prioritize that; 1 - That a farmer’s perspective is taken into consideration in implementing this fund, 2 - The legislation strikes a balance applied research with assistance to producers; and 3 – That Maine works with Federal partners to convene a working group on PFAS and PFOS issues.

The current draft of the legislation provides for two agricultural representatives appointed by the Governor. We believe that any fund of this size and scope should be advised by at least five individuals representing farmers of different types of operations, with those members coming from the industry itself.

This legislation should support practices that reduce the contamination load in end farm products. Identified PFAS and PFOS loads do not have to be the end of the road for a farm, if we work together to develop mitigation strategies for our producers. We do not believe that any producer should have to leave their farm or be forced to destroy their animals, if our efforts are focused on preserving our lands and animals.

There has been limited research on real world application of mitigation efforts on the farm. Let me be clear, we believe the emphasis in this legislation should not be on laboratory research, but rather practical research for on-farm application.

It is important that we develop on-farm practices that help our farmers reduce and eliminate their contamination loads – by identifying Maine climate-specific cropping practices, binders for feed rations for dairy, alternative feed rations like we have used to address mycotoxins, as well as conservation controls and treatments for applied nutrients. While some cropping practices or feeding regimens may sound like good approaches, real-world application in Maine may not work, either because of our growing conditions aren't suitable or the economics of such applications aren't practical.

Some farmers were urged by municipalities to receive sludge in the 70s and 80s and were assured that the nutrients were safe. They were encouraged by towns to “do their civic duty” to take these products. We need to ensure that these farms and their successors are not penalized or driven out of business because of these concerns.

While producers are actively engaged in mitigation strategies to reduce contamination loads on their farms, they should be compensated for their normal loss of income, based on that farm's historical income. In addition, state support should fill in gaps where other supports are inadequate.

Finally, we believe that the legislature should encourage the State of Maine to join other states and the Federal Government to convene a working group among interested state and Federal parties. We urge caution in getting out ahead of the Federal Government. This is an issue not just confined to our state, and there needs to be Federal standards to address contamination issues and to protect interstate commerce. As an industry heavily impacted by the influence of interstate commerce, we are particularly concerned about penalizing Maine dairy farmers, while not addressing the efficacy of products and farms in neighboring states.