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Maryland Department of Agriculture

Legislative Comment

Date: February 24, 2021

BILL NUMBER: House Bill 1025

SHORT TITLE: Pesticides – Carbofuran – Collection, Disposal, and Prohibition on Possession or Storage

MDA POSITION: Concern

House Bill 1025 would require the Maryland Department of Agriculture (MDA), in coordination with the Department of Natural Resources, to establish a program to address the illegal use of carbofuran and to eliminate stockpiles of carbofuran in the state. The bill also states that a person may not possess or store any carbofuran in the state after January 1, 2024.

While the remaining uses of carbofuran were voluntarily cancelled in 2009, the U.S. Environmental Protection Agency (EPA) did not make it illegal to have carbofuran in one's possession. Therefore, MDA cannot be certain of the amount - if any - of carbofuran being stored on properties throughout Maryland. Most waste disposal contractors charge per pound of product disposed of and generally have fixed minimum charges and mileage charges. With an unknown amount of carbofuran costs could widely fluctuate.

HB 1025 will significantly increase the fiscal impact on MDA. No current pesticide disposal program exists due to budget realities. The last program operated in 2011 with a contract cost of \$24,500, and the total pounds of pesticide collected were known. Since it remains legal to have carbofuran in one's possession, the total amount of this pesticide remains unknown.

MDA's Pesticide Regulation Section (PRS) receives no additional funds in the bill to cover costs associated with its implementation. A significant decrease in special and/or federal funds would be expected if HB 1025 is adopted. The decrease in special and/or federal funds will be more than PRS can absorb and PRS currently receives no general funds to offset expenditures. In addition, while it is anticipated that current staff will assist in the identification, sampling and collection of carbofuran, one additional inspector PIN would be required in order to have a properly functioning program. Current staff already maintain State and federal inspection

numbers (or risk losing federal grant money) as well as conduct complaint investigations and cannot dedicate their full time in additional travel, inspections, sampling and record keeping. This bill would jeopardize federal funding.

If you have additional questions, please contact Cassie Shirk, Director of Legislation and Governmental Affairs, at cassie.shirk@maryland.gov or 410-841-5886.