



April 21st, 2025

Senator Aric Putnam
95 University Avenue West
Minnesota Senate Building Room 3215
St. Paul, MN 55155

Dear Chair Putnam and members of the committee,

On behalf of the Minnesota Corn Growers Association's (MCGA) nearly 7,000 members I appreciate the opportunity to provide written comments to SF 3083.

Farmers need to be able to protect crops from insects that feed on germinating seeds and plant roots. Without protection, seed kernels can be attacked by insects that will destroy the seed's ability to germinate and produce a crop. Insects will also feed on the roots of the plant, limiting the plant's ability to take up water and nutrients. If the root system has been partially destroyed by insects, the plant will topple over from its own weight when it's fully grown. In corn production, the most efficient way to avoid early season crop damage is to coat the seed with an insecticide treatment.

The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), generally prohibits the distribution and sale of any pesticide unless it is registered. The Environmental Protection Agency (EPA) implements the requirements of FIFRA through a comprehensive set of rules that set out a registration and review process for pesticides. EPA has delegated authority to the Minnesota Department of Agriculture to carry out the regulatory framework created by EPA for pesticide use. EPA's data-driven and scientific review process for pesticides includes potential impacts on human health, the environment and wildlife before approval. Additionally periodic reviews of registered products take place as dictated by federal law and regulations. The EPA label for proper handling and use applies to a treated seed just as it would apply to foliar application of a pesticide. Through EPA's delegated authority to MDA, the agency already regulates pesticides and as an extension pesticide treated seed. There is no difference between a pesticide that is foliar applied and a pesticide that is applied to treated seeds nor is there an allowance for additional regulation of treated seed as clearly laid out by EPA in a September 2022 petition response to the Center for Food Safety.ⁱ The petition from the Center for Food Safety claimed that EPA did not adequately assess the risks from pesticide-treated seeds and the treated article exemption did not cover pesticide treated seed. However, the EPA petition response in 2022 exhaustively explained, the treated-article exemption to FIFRA is conditioned on the pesticide that was used to treat the seed requires registration and review for use. Any pesticide treatment applied to seeds results from a registered pesticide that has completed the EPA review, which includes potential impacts on human health, the environment and wildlife. Due to the federal FIFRA framework and process carried out by the EPA, MCGA is opposed to SF 3083 because it is redundant with federal law and regulations.

The verification of need program proposal raises several concerns for Minnesota's corn farmers. Most corn farmers make planting decisions and seed purchases several months in advance of the planting season. Planting decisions and seed selections for the 2025 crop year likely occurred in 2024 prior to harvesting the 2024 crop or prior to the end of the calendar year which raises the question about when a farmer would need to demonstrate the need for treated seeds to MDA and what are the consequences to a farmer if the seeds already purchased do not receive the formal approval as outlined in the bill. Waiting for insect damage to occur before treatment does not work because it is impossible to repair the damage that has already been done to the seed kernel or small growing plant. With the uncertainty that a verification of need program for treated seeds would bring, it could cause agriculture practices around pesticide use to go backwards using old methods such as applying granular or liquid insecticide directly across the soil surface at planting and would increase the use of pesticides. The use of treated seeds has reduced the need for such application pre-planting and is the safest option for the environment and farmers. Minnesota farmers can effectively manage risk to our own farms while also managing environmental concerns through seed stewardship and integrated pest management. Minnesota Corn actively shares information with corn farmers about seed stewardship practices and advocates for their use.ⁱⁱ

Thank you again for the opportunity to provide written comments. If you have any questions please feel free to reach out to MCGA's Senior Public Policy Director Amanda Bilek at abilek@mncorn.org



Jim Kanten
President
Minnesota Corn Growers Association

ⁱ <https://www.regulations.gov/document/EPA-HQ-OPP-2018-0805-0104>

ⁱⁱ <https://www.mncorn.org/2025/04/08/besure-campaign-returns-to-promote-good-stewardship-practices-this-season/>