

**VERMONT AGENCY OF AGRICULTURE, FOOD AND MARKETS (AAFM)
AGRICULTURAL INNOVATION BOARD (AIB)**

MEETING MINUTES

DATE: July 22, 2024

LOCATION: Vermont Agency of Agriculture, Food and Markets 94 Harvest Lane, Williston, VT 05495 –
Conference Room 210 / Virtual Microsoft Teams Meeting

Member	Present	Absent
St. Pierre, Amanda	x	
Beckford, Roy		x
Nourse, Nate	x	
Chamberlin, Jonathan		x
Pajak, Abbi	x	
Ransom, Earl		x
Rebozo, Ryan	x	
Schubart, Steven	x	
Owen, Sarah		x
Harper, Wendy Sue	x	
DiPietro, Laura	x	
Dwinell, Steve	x	
Griffith, Morgan	x	
Guests in Attendance		
Stephanie Smith Pam Bryer Zach Szczukowski Brooke Decker Lisa Fantelli Becky Langer-Curry (Bayer) Jared Carpenter (Lake Champlain committee) Emily May (Xerces) Dillon Gabbert (Crop Life America)		

Meeting called to order: 1:00 PM EST

Meeting adjourned: 2:30 PM EST

Next meeting: Monday August 26, 2024, 1-4PM

Agenda:

1:00 PM – Welcome & introductions

1:05 PM – Agenda, previous meeting minutes, AAFM update

1:15 PM – 2023 Seed Report – Jill Goss, Agency of Agriculture, Food & Markets

1:45 PM – Status and detailed walk through of [H.706](#) and AIB responsibilities

2:15 PM – AIB work plan discussion

3:45 PM – Public Comments

4:00 PM – Adjourn

New Action Items

Action	Responsible Party	Complete? (date)
Provide Morgan with additional suggestions for next topics for AIB to address	AIB Members	
Send members poll for available dates for Nov/Dec meeting(s)	Morgan Griffith	
Complete BMP survey by Aug 26	All members	

Ongoing Action Items

Action	Responsible Party	Complete? (date)
AIB members let Morgan know if eligible for per diem reimbursement to receive necessary paperwork	All eligible AIB members	

Welcome & Introductions, agenda, previous meeting minutes & AAFM update

- May 20, 2024 meeting minutes
 - Accepted without edits
- Member Wendy Sue Harper shared article about neonicotinoid concentration in plant material in prairie strips planted in corn.
 - prairie strip vegetation did not appear to take up neonics, which is good because plants within the prairie strips are sometimes meant to be pollinator attractive plants. However, that means that any neonics moving off-target when they solubilize in water are passing through the strips and moving on.

2023 Seed Report – Jill Goss, Agency of Agriculture, Food & Markets

- More compliance in seed reporting, many more dealers reported in 2023 compared to 2022
 - 39 seed distributors failed to file (last year 92 failed to file reports)
- Over 2000 tons treated seed in all categories and about 1300 tons untreated
 - 37% untreated 78% treated
- Single vs multiple treatment type distribution
 - 36% of treated seed reported didn't have treatment information
 - 50% had single treatment
 - Majority are fungicide treated
 - 14% had multiple treatments
- Treatments in tons reported
 - 39% insecticide

- Of the applied insecticides about 89% were neonics, and 11% were diamides
 - Clothianidin > thiamethoxam > chlorantraniliprole > imidacloprid
 - 31% fungicide
 - 26% nematicide
- GE traits reported in corn, soybean, and legume, forage, pasture categories
- Improvements to reporting
 - The treated seed and GE forms were combined in 2023 into one form and asked for where seed was purchased to try and reduce double reporting
- Goal is to continue to actively engage with seed distributors to help gain participation in reporting. Accepting feedback on ease of use in the reporting process.
- Report and data is available on AAFM website: [2023 GE, Treated and Untreated Seed Report FINAL.pdf \(vermont.gov\)](#)

Status and detailed walk through of H.706 and AIB responsibilities

- Reviewed Act 182 (was H.706 as passed by legislature) that was vetoed by Governor Scott (5/20/24), but subsequently overridden by the legislature (6/17/24)
 - [ACT182 As Enacted.pdf \(vermont.gov\)](#)
- Sec. 3 Treated seed prohibition
 - Selling, distributing or using seeds treated with neonics is prohibited on soybeans and cereal grain crop groups (most importantly includes corn, but also oats, wheat, barley, etc)
 - Takes effect Jan 1, 2029
 - Prohibition can be suspended with issuance of exemption order
 - To get an exemption the grower must complete IPM training and pest risk assessment and maintain records of pest management and when seeds planted
 - Exemption order only for planting neonic treated seeds on locations identified on pest risk assessment
 - Order valid for up to 1 year, specifies type of neonic treated seeds allowed and dates exemption is in effect.
 - Exemption order may establish additional restrictions
 - AAFM submits issued exemption orders to the House and Senate Ag committees and the General Assembly will post them to their website
- Sec. 4 Neonicotinoid pesticides prohibition
 - Outdoor application to any crop during bloom prohibited – already in the VT Rule for Control of Pesticides
 - Outdoor application to soybeans or any cereal grain crop prohibited
 - Outdoor application to crops in leafy vegetables, brassica, bulb vegetables, herbs and spices, and stalk stem leaf petiole vegetables crop groups harvested after bloom
 - Crop groups include garlic, onion, leek, broccoli, kale, collards, basil, fenugreek, saffron, asparagus, and many more
 - The important wording of this restriction is harvested after bloom – most of these crops are harvested before bloom.
 - There are saffron growers in Vermont and this spice is harvested during bloom, but Margaret Skinner of UVM Entomology Lab conducted a short survey to the

list serv of saffron producers that she maintains and received 36 responses in which no growers indicated using an insecticide.

- Any application to ornamental plants is prohibited
 - It is important to note the lack of “outdoor application”
- Takes effect July 1, 2025
- Can have exemption order if there is a valid environmental or agricultural emergency, the neonic will be effective, and there are no other alternatives
- Sec. 5 registration of neonicotinoid pesticides
 - Unless sale or use of neonic is prohibited the neonic product is registered as restricted use pesticide.
- Sec. 6 AAFM BMPs by rule
 - AAFM after consultation with AIB shall adopt rule BMPs for
 - Neonic treated seeds when used before prohibition and when used under an exemption order
 - Neonic pesticides when used under an exemption order
 - Agricultural use of neonic pesticides the use of which is not otherwise prohibited
 - In developing the rules have to address the same 7 required topics that AIB has worked through for previous recommendations for neonic treated seeds BMP
 - Timing was not updated in the Act, so we are going to operate on timing of effective dates.
- Sec. 8 Contingency repeal
 - Prohibition of neonic treated seeds and neonic pesticides are repealed if NY repeals their similar legislation
- Question: is the IPM training something that already exists in Vermont? And if it is offered by a 3rd party does it have to be approved?
 - Cornell already working on IPM training course (specific to treated seed). UVM already collaborates with them and we will continue to work with both UVM and Cornell.
 - Yes a training by a 3rd party has to be approved by AAFM

AIB work plan discussion

- Reviewed 7 required topics and which topics were not addressed in previous AIB activities.
 - Suggestion to look into growmatters.org for resources relevant to economic analysis of neonicotinoid pesticides (required topic C)
 - Suggestion to ask the Vermont Nursery and Landscape Association for economic impact of neonic restriction (required topic C)
 - Suggestion to compare the toxicity of neonics and alternatives and their different application methods (required topic D)
 - To address required topic G, AAFM has pulled together a list of previously published neonicotinoid BMPs
 - Zach S summarized these already available BMPs and organized the practices by common categories (i.e. IPM, pollinator protection, off-target movement, etc)
- AAFM created a survey with the BMPs from all available sources for AIB members to review and prioritize

- Survey will be issued to AIB members responses with BMP rankings due back before next meeting (Aug 26)
- Overview of rulemaking process
 - Submit to House and Senate Ag committees the draft rules
 - Submit draft rules to Interagency committee of administrative rules (ICAR) – will determine how to maximize public input on rulemaking process and how rule might affect other agencies
 - Filing forms required with supporting information like the need for the rule and anticipated impact of the rule
 - Once ICAR gives the go ahead then AAFM will submit proposed draft rule to Secretary of State and opens public comment period (will hold at least 1 hearing)
 - Edits and incorporation of public comments
 - Submit final proposed rule and meet with legislative committee on administrative rules and once they give blessing then can submit
 - Should take 8 months, but with consent from legislature process can be extended.
 - Administrative rule filing process overview - [apasimpleflowchart_2023.pdf \(vermont.gov\)](#)
- Question: What happens if AAFM submits rules then NY repeals, what happens to rules?
 - Possibility to build repeal into rules
- If enabling legislation does not exist then the rule is not effective, but AAFM can with General Counsel
- Reviewed upcoming meeting dates
 - **Morgan will poll members for Nov/Dec meeting dates

Public Comments

- None

** - indicates action items