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MAINE BIOBLOG

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The Maine Board of Pesticides Control has it backwards.

Through its rule making authority, the Maine Board of Pesticides Control is seeking to reverse centuries of agricultural tradition and undermine the carefully crafted organic standards set forth by the US Department of Agriculture. On January 23, the BPC is holding a public hearing on proposed rules for the planting of genetically modified insect-resistant (Bt) sweet corn. The draft rule calls for a 300 ft. "Bt-corn-free buffer to non-Bt corn crops."

The draft rule, which requires Bt sweet corn growers to sacrifice 300 ft of their own land, is being proposed to pacify Maine's organic community, which has dogged regulators every step of the way with Bt corn registration. Organic adherents are smarting because the legislature has refused to ban genetically modified crops. The BPC delivered a second blow when it finally registered several varieties of Bt field corn. Now, as a last ditch effort to banish genetically modified crops from Maine, fans of organic agriculture are trying to make planting Bt corn difficult and unprofitable.

The problem with the proposed rule is that organic regulations promulgated by the USDA require buffers to be maintained by the organic grower, not the farmer who plants conventional or genetically modified crops. National Organic Program regulation 205.202 states that organic growers must "have distinct, defined boundaries and buffer zones . . . to prevent the unintended application of a prohibited substance . . . or contact with a prohibited substance applied to adjoining land."

The Maine Organic Farmer and Gardener's Association acknowledges this rule in its 2009 Practice Manual. On page 30: "If your organic fields are adjacent to conventional fields or other land uses that pose a contamination risk, you are required to establish a large enough buffer that will protect your organic crops from contamination."

Centuries of agricultural practice recognize that the producer of

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the “identity preserved” crop (in this case organic) is responsible for whatever steps must be taken to preserve the identity of the crop. The logic for assigning responsibility to the IP producer is that IP crops bring higher prices in the marketplace. Therefore, the cost of the extra precautions belongs to the person who captures the higher price.

The Board of Pesticides Control is attempting to reverse tradition and overturn accepted organic production rules under the misguided belief that they can pacify the special interests who are attempting to use the board’s regulatory authority to gain an advantage in the marketplace. The BPC would be well served to return to the mission given it by the legislature: “safeguarding the public health, safety and welfare, and . . . protecting natural resources,” and stop trying to appease special interests.

POSTED BY DOUG JOHNSON AT 11:43 AM

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