

Rulemaking Statement of Impact on Small Business

5 MRSA §8052, sub-§5-A

Agency

Department of Agriculture, Food and Rural Resources—Maine Board of Pesticides Control

Chapter Number and Title of Rule

CMR 01-026, Chapter 41—Special Restrictions on Pesticide Use

Identification of the Types and an Estimate of the Number of the Small Businesses Subject to the Proposed Rule

There are a couple of small businesses that sell seed to Maine farmers, and there may be as many as 300 small businesses growing corn that may be interested in planting *Bt* corn, who will be subject to this rule change.

Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, including the Type of Professional Skills Necessary for Preparation of the Report or Record

The proposed amendment will reduce the administrative costs for the small businesses that sell seeds. Negating the need to ensure that customers buying *Bt* corn seed have a valid training certificate could reduce the administrative time required by 10 hours each year. At \$50 per hour, the proposed amendment might save the small seed dealers an average of \$500 per year.

Similarly, small farm businesses that grow corn will see a reduction in their administrative costs as a result of this amendment. Small farmers will still need to acquire initial training, but there will be a reduction in the time devoted to refresher training. The average small farm subject to this amendment currently needs to devote about three hours (including travel time) every two years to obtaining the refresher training. At a cost of \$50 per hour, this would average about \$150 every two years or about \$75 per year in administrative costs. The proposed amendment would extend the time frame to acquire the refresher training to three years, thereby reducing the annual administrative costs by one third (\$150 every three years or \$50 per year).

Brief Statement of the Probable Impact on Affected Small Businesses

The proposed rule amendment will reduce the administrative costs for small businesses that sell corn seed and small farm businesses that grow corn.

Description of any Less Intrusive or Less Costly, Reasonable Alternative Methods of Achieving the Purposes of the Proposed Rule

The Board considered dropping the training requirement altogether, but decided that careful stewardship of this technology was critical to its future usefulness. Consequently, the Board decided that maintaining an initial training requirement is still in the public interest.