



FOOD PRODUCERS of IDAHO, Inc.

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Brian Oakey, Deputy Director
Idaho State Department of Agriculture
PO Box 7249
Boise, ID 83707

Dear Mr. Oakey,

Food Producers of Idaho, representing over 40 commodity and agriculture organizations in Idaho and the Pacific Northwest, appreciates the Idaho State Department of Agriculture (ISDA) undertaking negotiated rulemaking on the Rules Governing Pesticide and Chemigation Use and Application, IDAPA 02.03.03. Pesticides are a critical tool for farmers and land managers. Similarly, it is equally critical that we have clear and concise rules in place that pesticide applicators are able to follow while preserving the health and safety of farm workers and the general public.

Many of our members participated in the first negotiated rulemaking meeting and acknowledge the work of ISDA to bring all interested parties together and to offer a well thought out proposal for stakeholders to consider.

One section of the proposed rule that we encourage further discussion around is the change to the wind speed and drift requirements. Under Idaho's current rule, there is language prohibiting pesticide application if there is wind of 10 miles per hour or higher to avoid drift. The draft proposed rule is silent on wind speed and defers entirely to the chemical's label, which can be vague and include language that generally advises the applicator to avoid conditions that would result in drift.

Food Producers would like to see a safe harbor that protects applicators included in the rule, so that if they work within a specified wind velocity, they would be protected in these situations when drift is referenced on a label but specific wind velocity or conditions are not included. This would only apply when the label is vague and references drift concerns. If drift isn't mentioned in the label, then it should not be a concern.

Thank you again for the opportunity to submit comments and participate in the negotiated rulemaking process. We look forward to continuing the discussion for the good of Idaho agriculture.

Respectfully submitted,

Stacey Satterlee, President
Isdapesticide_ltr